

)	
RACHAEL SWIFT,)	
)	Civil No. 2:22-CV-01019-LTS-KEM
Plaintiff,)	
)	
vs.)	APPENDIX OF EXHIBITS IN
)	SUPPORT OF DEFENDANT’S
LORAS COLLEGE,)	MOTION FOR SUMMARY
)	JUDGMENT
Defendant.)	
)	

- **APP. 1 (LORAS 35)** - Excerpt from Student Handbook 2021-22;
- **APP. 2-3 (LORAS 135-136)** - Incident Report Information from September 6, 2020;
- **APP. 4 (LORAS 594)** - September 6, 2020 e-mail from Molly Burrows-Schumacher (“Burrows-Schumacher”), Director of Residence Life and Campus Safety, to Dr. Arthur Sunleaf (“Sunleaf”), Dean of Students;
- **APP. 5-6 (LORAS 632-633)** - September 6, 2020 and September 7, 2020 email exchanges among Kostopoulos and Burrows-Schumacher;
- **APP. 7-9** - Burrows-Schumacher Affidavit;
- **APP. 10 (LORAS 645)** - September 7, 2020 email exchanges among Burrows-Schumacher and Rachael Swift (“Swift”);
- **APP. 11-14 (LORAS 737-740)** - Amazon.com September 8, 2020 order confirmation;
- **APP. 15 (LORAS 152)** – December 29, 2020 e-mail from Burrows-Schumacher to Keleher-Garfoot, summarizing events of September 8, 2020 meeting with Swift and Kostopoulos;
- **APP. 16 (LORAS 644)** - September 7-10, 2020 e-mail exchanges among Donna Heald (“Heald”), Academic Dean, and Swift;

- **APP. 17 (LORAS 0643)** – September 7, 2020 email exchange between Donna Heald and Rachel Swift;
- **APP. 18 (LORAS 0642)** – September 10, 202 email exchange between Donna Heald and Rachel Swift;
- **APP. 19-20 (LORAS 144-145)** - September 8, 2020 email exchanges among Swift and Keleher-Garfoot;
- **APP. 21 (LORAS 623)** - September 8, 2020 email to Campus Safety regarding making extra rounds;
- **APP. 22-23 (LORAS 625-626)** - September 15, 2020 and November 24, 2020 emails to Campus Safety regarding maintaining extra rounds;
- **APP. 24 (LORAS 378)** - September 8, 2020 email from Burrows-Schumacher to Kyle Hall (“Hall”);
- **APP. 25 (LORAS 0380)** – September 8, 2020 email exchange tween Molly Schumacher and Kyle Hall;
- **APP. 26 (LORAS 648)** - September 8, 2020 email from Burrows-Schumacher to Sunleaf;
- **APP. 27 (LORAS 665)** - September 9, 2020 email from Hall to Burrows-Schumacher;
- **APP. 28 (LORAS 711)** - Burrows-Schumacher comment regarding Hall September 9, 2020 email;
- **APP. 29 (LORAS 649)** - September 11, 2020 email exchanges among Burrows Schumacher and John McDermott (“McDermott”);
- **APP. 30 (LORAS 0650)** – September 11, 2020 email exchange between John McDermott and Katie Garfoot and Molly Schumacher;
- **APP. 31-33** – Affidavit of James Collins (“Collins”), President of Loras College;
- **APP. 34 (LORAS 577)** - September 11, 2020 and September 15, 2020 email exchanges among Tricia Borelli (“Borelli”), Director of the Student Counseling Center, and Swift;
- **APP. 35-36 (LORAS 137-138)** - Incident Report Information from September 14, 2020;
- **APP. 37 (LORAS 536)** - September 15, 2020 email from Keleher-Garfoot to Swift;

- **APP. 38 (LORAS 657)** - September 15, 2020 email from Burrows Schumacher to Sunleaf;
- **APP. 39 (LORAS 653)** - September 15, 2020 and September 17, 2020 email exchanges among Burrows Schumacher, McDermott and Dan Walling of Locksmith Express;
- **APP. 40-47 (LORAS 070-077)** – Loras’ Title IX policy;
- **APP. 48 (LORAS 147)** - September 15, 2020 email from Burrows-Schumacher to Swift;
- **APP. 49 (LORAS 663)** - September 15, 2020 email from Nancy Zachar Fett (“Zachar Fett”), Loras’ Title IX Coordinator, to Swift;
- **APP. 50-51 (LORAS 539-539)** - September 15, 2020 email from Burrows-Schumacher to Swift;
- **APP. 52 (LORAS 0557)** – February 9, 2021 email exchange between Troy Wrigt and Rachel Swift;
- **APP. 53 (LORAS 660)** - September 17, 2020 email from Swift to Burrows Schumacher;
- **APP. 54 (LORAS 634)** - September 17, 2020 email exchange among Swift and Keleher-Garfoot;
- **APP. 55-56 (LORAS 148-149)** – December 9, 2020 email exchanges between Nancy Fett, Molly Schumacher and Rachel Swift;
- **APP. 57-59 (LORAS 638-640)** - Incident Report Information from December 5, 2020;
- **APP. 60 (LORAS 668)** - December 5, 2020 letter from Burrows-Schumacher to Hall;
- **APP. 61 (LORAS 715)** - Burrows-Schumacher comment, adding Hall as a possible suspect for the September 6, 2020 incident;
- **APP. 62 (LORAS 151)** - December 8, 2020 email from Burrows-Schumacher to Swift;
- **APP. 63 (LORAS 677)** - December 17, 2020 email from Mathew Saylor, Assistant Director of Campus Safety (“Saylor”) to Burrows Schumacher and Sunleaf;
- **APP. 64 (LORAS 680)** - December 17, 2020 email from Bradley Levison to Zachar Fett; December 17, 2020 email from Zachar Fett to Sunleaf and Burrows Schumacher;
- **APP. 65-66 (LORAS 687-688)** - December 17, 2020 email from Sunleaf to Burrows-Schumacher and Zachar Fett;

- **APP. 67 (LORAS 681)** - December 17, 2020 email from Burrows-Schumacher to Swift;
- **APP. 68-70 (LORAS 559-561)** - February 11, 2021 email exchange among Matt Pucci (“Pucci”), Head Women’s Soccer Coach, and Troy Wright (“Wright”), Loras’ Director of Human Resources;
- **APP. 71-72 (LORAS 681-682)** – December 17, 2020 email exchanges between Molly Schumacher and Rachel Swift;
- **APP. 73-75 (LORAS 693-695)** - December 22, 2020 and December 23, 2020 email exchanges among Burrows-Schumacher, Dr. David Sayler (“Sayler”), Director of Teacher Education Program, and Rebecca Fabricius (“Fabricius”), Director of Clinical Education;
- **APP. 76 (LORAS 317)** - Fabricius e-mail to Swift;
- **APP. 77-78 (LORAS 636-637)** - January 5, 2021 e-mail exchanges among Burrows-Schumacher emails and Swift;
- **APP. 79 (LORAS 698)** - January 5, 2021 Burrows-Schumacher email to Carrie Jones (“Jones”), Director of Student Accounts;
- **APP. 80 (LORAS 699)** - January 5, 2021 Burrows-Schumacher email to Sunleaf;
- **APP. 81 (LORAS 629)** - January 11, 2021 email and attached letter from Kostopoulos to Collins, and January 11, 2021 Collins email to Sunleaf and Heald;
- **APP. 82-83 (LORAS 630-631)** – January 8, 2021 letter;
- **APP. 84 (LORAS 377)** - Notes from January 14, 2021 Burrows-Schumacher and Sayler interview of Hall and January 19, 2021 Hall email to Burrows Schumacher, confirming accuracy of the notes;
- **APP. 85-86 (LORAS 597-598)** - January 26, 2021 and February 2, 2021 e-mails from Burrows-Schumacher to Swift;
- **APP. 87-259 (LORAS 577-749)** - Documents from Wright internal investigation of Swift’s discrimination claim;
- **APP. 260-261 (LORAS 557-558)** - February 9, 2021 email and attached questions from Wright to Swift;
- **APP. 262 (LORAS 750)** - February 10, 2021 email exchanges between Burrows-Schumacher and Swift;

- **APP. 263 (LORAS 746)** - February 17, 2021 Wright sticky note regarding following up with Swift concerning his February 9, 2021 email and March 15, 2021 emails exchanges among Swift, Wright and Zachar Fett;
- **APP. 264 (LORAS 555)** - February 25, 2021 email from Swift to Wright;
- **APP. 265-267 (LORAS 054-056)** - Loras' Hearing Board policy;
- **APP. 268-286 (LORAS 752-770)** – February 18, 2021 to March 26, 2021 email exchanges among Callahan and Swift;
- **APP. 287 (LORAS 743)** - March 4, 2021 email from Wright to Swift;
- **APP. 288-302 (LORAS 777-791)** - March 15, 2021 Review Board record of proceedings regarding Hall;
- **APP. 303 (LORAS 139)** - March 22, 2021 Loras College Review Board amended determination regarding Hall;
- **APP. 304 (LORAS 749)** - March 25, 2021 and March 26, 2021 e-mail exchanges among Wright and Swift;
- **APP. 305-306 (LORAS 747-748)** - March 26, 2021 Wright letter to Swift;
- **APP. 307-316** – Complaint filed September 6, 2022;
- **APP. 317-582** – August 21, 2023 Deposition Transcript of Rachel Swift;
- **APP. 583-584** – Dubuque Police Department Report;
- **APP. 585 (LORAS 146)** – September 7, 2020 Sunleaf's reply to Kostopoulos;
- **APP. 586-592** – Answer and Affirmative Defenses.

/s/ **Christopher P. Jannes**

Christopher P. Jannes, AT0003917

Katie E. Gral, AT0013357

DENTONS DAVIS BROWN PC

The Davis Brown Tower

215 10th Street, Suite 1300

Des Moines, IA 50309-3993

Telephone: 515/288-2500

Email: Chris.Jannes@dentons.com

Email: Katie.Gral@dentons.com

**ATTORNEYS FOR DEFENDANT, LORAS
COLLEGE**

COPY TO:

Benjamin R. Merrill
BROWN, WINICK, GRAVES, GROSS AND
BASKERVILLE, P.L.C.
666 Grand Avenue, Suite 2000
Des Moines, Iowa 50309-2510
Telephone: 515-242-2400
Email: ben.merrill@brownwinick.com

**ATTORNEY FOR PLAINTIFF,
RACHEL SWIFT**

PROOF OF SERVICE

The undersigned certifies that the foregoing instrument was served upon all parties to the above cause to each of the attorneys of record herein at their respective addresses disclosed on the pleadings on September 15, 2023 by:

<input type="checkbox"/> U.S. Mail	<input type="checkbox"/> E-Mail
<input type="checkbox"/> Hand Delivered	<input type="checkbox"/> Overnight Courier
<input type="checkbox"/> Federal Express	<input checked="" type="checkbox"/> ECF Filing

Signature: /s/ Christopher P. Jannes

MISSION AND VISION

Loras College Mission

Loras, as a Catholic liberal arts college, creates a community of active learners, reflective thinkers, ethical decision-makers and responsible contributors in diverse professional, social and religious roles.

Loras College Vision

Inspired by the Catholic intellectual tradition and rooted in the transformative power of learning, Loras College enriches lives and serves humanity.

Emergency Information

POLICE	911
FIRE	911
HEALTH CENTER	563.588.7142

In the event of an emergency, the police should be contacted immediately. A 911 telephone service is in effect for the entire city of Dubuque. Emergency medical care is provided at all hours at both Finley Hospital 563.582.1881 and Mercy Medical Center Dubuque 563.589.8000.

In the event of a campus emergency or disaster, the Crisis Management Team is activated and all directives and information will be disseminated from the headquarters of that team. The College has developed an extensive plan to cope with such situations if they develop.

FREQUENTLY CALLED NUMBERS

Provost and Academic Dean's Office	563.588.7107	Information Center	563.588.7100
Athletics	563.588.7112	Institutional Marketing	563.588.7407
Barnes & Noble Bookstore	563.588.7130	KLCR	563.588.7116
Business Office	563.588.7232	Kucera Center	563.588.7966
College Activities Board (CAB)	563.588.7206	LCTV Newsroom	563.588.7569
Campus Dining	563.588.7131	LCTV Studio C.....	563.588.7034
Catering Office.....	563.588.7021	LCTV Studio.....	563.588.7398
Center for Inclusion and Advocacy	563.588.7664	Learning Commons.....	563.588.7829
Campus Safety	563.588.7100	Library – Circulation.....	563.588.7189
Center for Experiential Learning.....	563.588.7922	Library – Reference.....	563.588.7042
Counseling Center	563.588.7085	Lorian	563.588.7954
Dean of Students Office.....	563.588.7114	Lost and Found	563.588.7100
Financial Planning.....	563.588.7136	Lynch Disability Resource Center.....	563.588.7134
Grabner Sports Center.....	563.588.7737	Mailroom	563.588.7730
Health Center	563.588.7142	Math Assistance Program.....	563.588.7073



Wednesday, January 27, 2021 | 1:05 pm
User: Molly Burrows Schumacher, Staff

Incident Report Information

IR#

00145-2020

Reported On

September 6, 2020 5:24 AM

Reported By

robert rosenow

Incident Type

Campus Safety Concern

Reporter's Name

robert rosenow

Reporter's Email

robert.rosenow@loras.edu

Reporter's Phone

563 588 7100

Time and Location of Incident

Date/Time of Incident

September 6, 2020 4:25 am

Location of Incident

Campus Housing/Byrne Oaks

Additional Location Information

Unit 101

Parties Involved

Victims/Complainants

Swift, Rachael (0544662)

Descriptive Information

Incident Description

I, Officer Rosenow, was giving Sara from information desk a break when a telephone call came in at 4:25am Sunday, Sept 6, 2020 female saying that there was a intruder in her apartment - 101 Byrne Oaks. I arrived at 4:30am. Rachael Swift informed me that she heard a noise, woke up and saw a person in her bedroom door way. She shared screamed and person took off out the front door. I told her I would check the other three bedrooms, and I also checked out the hallways and stair wells and did not see anyone.

When I took Rachel's statement, she said her other three room mates where out of town and she was staying alone Saturday. She said that after she called, she noticed that she must have not locked the front door of the 101 apartment, I asked her if she wanted to stay at a friends place and she said she would be ok. I told her to always make sure that the doors are locked. She was unable to give a description because it was too dark. I informed her that if she would ever be staying alone to let information know so security could make a few extra rounds in the building.

Status

Pending

Additional Information

LORAS 0135

EMS Called
No

Area Coordinator Called
Yes

Police Called
No

Physical Plant Contacted
No

Alcohol Involved
No

Administrative Action

Appealed
No

LORAS 0136



Molly A. Burrows Schumacher (staff)

From: Molly A. Burrows Schumacher (staff)
Sent: Sunday, September 6, 2020 8:38 PM
To: Arthur W. Sunleaf
Subject: Swift issue

Hey - just a heads up - not sure if you saw the report about Rachel swift and waking to someone in her doorway (front door was unlocked). Pucci called - she went home, mom bringing her back tomorrow, wants to talk to someone in person about it. I told him to send it to Katie, and they could discuss safety strategies and how we can help. We'll go from there but wanted you in the loop.

Also Matt out tomorrow. Covered weekend shifts for folks.

Thx -

Molly

Sent from my iPhone

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Molly A. Burrows Schumacher (staff)

From: Molly A. Burrows Schumacher (staff)
Sent: Monday, September 7, 2020 11:20 AM
To: ELAINE SWIFT
Subject: RE: Rachael Swift incident and other matters

Thanks so much for the reply. I'm glad you are able to connect with Art. Unfortunately, I have a student health meeting at 1:30 p.m. today, so I won't be able to dial in. I've asked Art to capture the ways we can best help moving forward so I can best assist in helping Rachael.

Thank you,

Molly

Molly Burrows Schumacher
Assistant Dean of Students
LORAS COLLEGE
1450 Alta Vista St
Dubuque, IA 52001
563.588.7137
molly.burrowsschumacher@loras.edu
BE MORE BE LORAS

From: ELAINE SWIFT <ukchelsea@aol.com>
Sent: Monday, September 7, 2020 10:17 AM
To: Molly A. Burrows Schumacher (staff) <Molly.BurrowsSchumacher@loras.edu>
Subject: Re: Rachael Swift incident and other matters

Thank you for your response.

We are on our way back to campus and are planning on meeting with Art at 1:30. It would be great if we could have you involved via phone for the meeting.

Thanks,
Elaine

On Sep 6, 2020, at 10:56 PM, Molly A. Burrows Schumacher (staff)
<Molly.BurrowsSchumacher@loras.edu> wrote:

Thank you so much for reaching out. I completely understand your concern for Rachael, and the desire to create a safety plan moving forward. We too want Rachel to feel safe on campus and in her apartment.

While I wish I could speak with you in person tomorrow, I am restricted to remote work at this time due a hospitalization in July. Coach Pucci indicated you were really hoping to meet with someone in person while on campus, so for this reason, I suggested Katie Keleher-Garfoot to Coach Pucci as a great resource. Katie has helped students in various housing options by

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discussing safety concerns and ordering things like additional door alarms, window alarms, etc. to help students feel more safe based on their specific situation.

While I'm unable to meet in person, I am happy to talk via phone tomorrow if that would be helpful? I am free at 1:00 if that works with your schedule. If you could let me know the best number to call, I would appreciate it.

If you would prefer to meet in person with Dean Sunleaf, I understand that as well. Please know I did also make Katie aware that Rachael may be interested in additional safety resources for the apartment, and asked her to secure these items for Rachael if she is interested.

Thank you,

Molly Burrows Schumacher
Assistant Dean of Students

Sent from my iPhone

On Sep 6, 2020, at 8:46 PM, "ukchelsea@aol.com" <ukchelsea@aol.com> wrote:

Good evening,

I believe Matt Pucci may have reached out to you today regarding my request for a meeting tomorrow, Monday the 7th.

We were informed to speak with Katie as you would not be on campus.

I understand tomorrow is Labor Day, yet we will be driving to campus from Chicago to help get some things resolved and ensure Rachael is safe.

What happened to Rachael is unacceptable and it is critical that we speak tomorrow either in person or on the phone. This needs to be a priority. Unfortunately as a result of the situation Rachael, nor myself can look at tomorrow as a holiday and we would appreciate a few minutes of your time.

Early afternoon would be ideal, yet we can make ourselves available any time during the day.

I look forward to your response.

Thank you,

Elaine Kostopoulos

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA

RACHAEL SWIFT,)	
)	
Plaintiff,)	Civil No. 2:22-CV-01019-LTS-KEM
)	
vs.)	
)	AFFIDAVIT OF MOLLY BURROWS
LORAS COLLEGE,)	SCHUMACHER IN SUPPORT OF
)	MOTION FOR SUMMARY
Defendant.)	JUDGMENT
)	

STATE OF IOWA)
) ss.
COUNTY OF DUBUQUE)

Molly Burrows Schumacher, being first duly sworn upon oath, hereby deposes and states as follows:

1. I am the Director of Residence Life and Campus Safety at Loras College (“Loras”).
2. I have read Loras’ Brief in Support of Motion for Summary Judgment and reviewed the supporting documents referenced therein.
3. I have the requisite personal knowledge and competence to verify as authenticate the supporting documents referenced in Loras’ Brief in Support of Motion for Summary Judgment.
4. On September 7, 2020, at 1:30 p.m., I contacted John McDermott (“McDermott”) of Loras’ Physical Plant to follow-up on a request to change the locks at the Byrne Oaks Residence Hall apartment of Rachael Swift (“Swift”).
5. I advised McDermott that I had an “asap” work order for 101 Byrne Oaks for re-

#3437913

core of seven main door keys and for two D bedroom door keys.

6. McDermott responded on September 7, 2020 at 3:03 p.m. with “Got it.”

7. In December 2020, a group of students living in another apartment in Byrne Oaks installed a camera in the kitchen at the entrance to their apartment because they thought one of the roommates was taking another’s food.

8. On December 5, 2020, the camera captured Kyle Hall (“Hall”) entering their third floor apartment, proceeding into the kitchen, realizing he was on camera, and then exiting the apartment.

9. Police were called and Hall was located. Hall did indicate (per College officer on the scene Mark Sutter) that he had entered at least one other apartment at Byrne Oaks but indicated that these entries were on accident.

10. Hall noted that he had lived in the building for several years in different apartments and was confused.

11. At this time Hall lived on the first floor of Byrne Oaks.

12. On December 16, 2020, Rebecca Fabricius, Loras College Director of Clinical Education, mentioned to me that both Swift and Hall were education majors. Ms. Fabricius indicated Swift and Hall would not likely have crossed paths very often because they came into the program at different times and Hall was finishing up an extra semester.

13. On January 14, 2021, Matthew Saylor of Campus Safety and I interviewed Kyle Hall via Zoom to discuss why he was found on video camera entering an apartment he did not live in on December 5, 2020 at 301 Bryne Oaks.

14. While interviewing Hall regarding the incident with apartment 301, I also asked whether Hall had entered any other apartments that were not his own in any other instances.

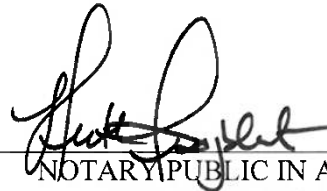
15. Hall indicated no.

16. Neither Loras, nor the Dubuque Police Department, were ever able to connect Hall with the unauthorized entrance into Swift's apartment on September 6, 2020.



Molly Burrows Schumacher

Subscribed and sworn to before me by Molly Burrows Schumacher this 11 day of August, 2023.



NOTARY PUBLIC IN AND FOR
THE STATE OF IOWA

(SEAL)



W

Molly A. Burrows Schumacher (staff)

From: Rachael N. Swift
Sent: Monday, September 7, 2020 8:34 PM
To: Molly A. Burrows Schumacher (staff)
Subject: RE: touching base

Hello Molly,

Yes, my roommates and I are interested in the additional safety devices. We all wish we knew about the available options earlier. Why aren't students made aware of this.

Will an email be going out to the students regarding informing students of an occurrence and if anyone else experienced or saw anything unusual. It has been mentioned that the intruder attempted to enter another unit before he entered mine.

I will let me roommates know about the installation of the new locks.

Rachael Swift

From: Molly A. Burrows Schumacher (staff) <Molly.BurrowsSchumacher@loras.edu>
Sent: Monday, September 7, 2020 3:08 PM
To: Rachael N. Swift <Rachael.Swift@loras.edu>
Cc: Arthur W. Sunleaf <Arthur.Sunleaf@loras.edu>
Subject: touching base

Hello Rachael,

Dean Sunleaf asked me to follow up and let you know that Maintenance will be changing your door locks and issuing new keys first thing in the morning – they have set the process in motion today, and it will be completed tomorrow morning.

Since the incident, Campus Safety has already increased rounds on the interior and exterior of the facility as well as the surrounding grounds. RAs in the area will do the same. Campus Safety also has ordered and are reviewing the fob logs from around the time of the incident so that we can connect with any other students who may have been out and about in the building at that time that may have seen or heard something.

Katie Keleher-Garfoot will also be reaching out to you asking how she can help. While the college provides secure locks for all apartments, we know all residents have different preferences. Katie can share information additional alarms and devices that you might be interested in for your apartment. Not all students are interested in these devices, but we are happy to assist you (and your roommates) if you might be.

Please let us know if we can be of further help.

Thank you,

Molly

Molly Burrows Schumacher
Assistant Dean of Students
LORAS COLLEGE
1450 Alta Vista St

amazon.com

Final Details for Order #112-7899203-1038602

Paid By: Loras College
Placed By: Loras College
Order Placed: September 8, 2020
PO number : 133945132
Amazon.com order number: 112-7899203-1038602
Order Total: \$268.94

Shipped on September 10, 2020	
Items Ordered	Price
1 of: Wsdcam Door and Window Alarm for Home Wireless Alarm Security System Magnetic Alarm Sensor Time Delay Alarm Loud 110 dB, 4-in-1 Mode Window Alarms 10 Sold by: Wsdcam (seller profile) Business Price Condition: New	\$40.88
6 of: Roe & Moe Telescoping Window Security Guard Bars Prevent Forced Entry - extends from 17-27 inches (4-Pack) Sold by: Roe & Moe (seller profile) Business Price Condition: New	\$38.01
Shipping Address: Katie Keleher-Garfoot 1450 Alta Vista St Dubuque, IA 52001 United States	Item(s) Subtotal: \$268.94 Shipping & Handling: \$0.00 ----- Total before tax: \$268.94 Sales Tax: \$0.00 ----- Total for This Shipment: \$268.94 -----
Shipping Speed: One-Day Shipping	
Payment information	
Payment Method: Visa Last digits: 0349	Item(s) Subtotal: \$268.94 Shipping & Handling: \$0.00 ----- Total before tax: \$268.94 Estimated Tax: \$0.00 ----- Grand Total: \$268.94 -----

To view the status of your order, return to [Order Summary](#).

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LORAS 0737

22

Amazon Associates SiteStripe Get Link: Text Native Shopping Ads Share: Tried the foreign bank direct d... Earnings Help

All ▾ Enter keyword or product number

Deliver to Loris Dubuque 52001 Departments Buy Again EN Hello, Loras Account for Loras Col... Lists Try Business Prime (0)

Your Account > Your Orders > Order Details

Order Details

PO# 133945132 Ordered on September 8, 2020 Order# 112-7899203-1038602

[Printable Order Summary](#)This order was approved. [View details](#)

Shipping Address

Katie Keleher-Garfoot
1450 Alta Vista St
Dubuque, IA 52001
United States

Payment Method

**** 0349

Order Summary

Item(s) Subtotal:	\$268.94
Shipping & Handling:	\$0.00
Total before tax:	\$268.94
Estimated tax to be collected:	\$0.00
Grand Total:	\$268.94

Transactions

Requested by
Order methodLoras College
Business

Delivered Sep 14, 2020



Wsdcam Door and Window Alarm for Home Wireless Alarm Security System Magnetic Alarm Sensor Time Delay Alarm Loud 110 dB, 4-in-1 Mode Window Alarms 10 Pack

Sold by: [M-Supply](#)

Return window closed on Oct 15, 2020

[Add photo](#)

Business Price

Condition: New

[Buy it again](#)

Roq & Moe Telescoping Window Security Guard Bars Prevent Forced Entry - extends from 17-27 inches (4-Pack)

Sold by: [Roq & Moe](#)

Return window closed on Oct 15, 2020

[Add photo](#)

Business Price

Condition: New

[Buy it again](#)[Get product support](#)[Write a product review](#)

Frequently bought with Wsdcam Door and Window Alarm for Home Wireless...

Page 1 of 2



Wsdcam Door Alarm
Wireless Anti-Theft

Wsdcam Door and Window
Alarms for Home Security

All-new Blink Outdoor -
wireless, weather-resistant

Master Lock 265D Dead
Security Bar, White
18.435

LORAS 0738

https://www.amazon.com/gp/your-account/order-details/ref=ppx_yo_dt_b_order_details_o... 2/10/2021

22

Remote Control Door and
Window Security Alarms
2,477

110dB Magnetic Sensor
Alarm, Pool Door Alarm...
77

HD security camera with
two-year battery life and
78,358

\$20.65

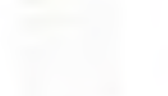
Recommended Deals for you



Kraft Paper Bags with
Handles, Euroair 20pcs 8.6\"/>
 Bulk, Shopping Bags...
26
\$9.29



Ring Alarm 8-piece kit
(2nd Gen) bundle with
Echo Dot (4th Gen)
Charcoal
9,692
\$209.99



Simpli-Magic Canvas Tote
Bags, Pack of 50,
Standard, 50 Count
746
\$60.42



Bold Chalk Markers - Dry
Erase Marker Pens - Chalk
Markers for Chalkboards,
Signs, Windows, ...
13,448
\$11.90

Deals trending on Amazon Business



Kindle Paperwhite - Now
Waterproof with 2x the
Storage - Ad-Supported
94,744
\$94.99



Individually Wrapped 10
Packs KN95 Face Mask,
Included on FDA EUA List,
5-Ply Breathable...
98
\$59.49



Dotted Grid
Notebook/Journal - Dot
Grid Hard Cover Notebook,
Premium Thick Paper...
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LORAS 0740

https://www.amazon.com/gp/your-account/order-details/ref=ppx_yo_dt_b_order_details_o... 2/10/2021

From: Katie Keleher-Garfoot <Katie.Keleher-Garfoot@loras.edu>
Sent: Tuesday, December 29, 2020 10:21 AM
To: Molly A. Burrows Schumacher (staff)
Subject: RE: Request for Information

Sending a couple emails your way! When I was cleaning out my office to get ready to be gone, I tossed my notes from the conversation with her and her mom, sorry! ☹️ I think I was eager to put that behind us... quick/sort of brief summary:

Met with them in 554 ACC at 1pm on Tuesday, Sept. 8. Rachael walked through the incident with me again, gave her the option and she chose to talk about it. Claimed the front door was locked. I apologized for it happening and we had already changed the locks with new keys at Info for her and roommates to pick up. We discussed window bars and door alarms, showed them what we've ordered in the past on Amazon. Explained I didn't have any on hand, but would order immediately, which I did right after our meeting concluded. They expressed wanting a deadbolt on the door, an email sent to BO and all of campus, and wanted to know why Loras didn't have blue lights on campus. I said I would ask about the deadbolt, explained that Loras has looked into the blue lights before but I would ask the reasoning for not having them and if it would be considered, and as far as the email, I explained we could possibly send out something encouraging students to lock doors, remind of safety precautions, etc. At that point, the mom interrupted me and said something along the lines of "Loras doesn't want people to know they allow predators on campus." I tried to explain that that wasn't the case, but as this was the first incident that had been reported to us we wanted to handle the situation in a way that would protect Rachael's and everyone else's privacy, and to be sensitive. The mom repeated her statement about Loras trying to "hide" that we allow predators. Rachael also claimed that this kind of thing has happened multiple times to other apartments and Loras hasn't done anything...I explained that I can follow-up with Campus Safety to be sure, but this type of incident had not been reported until now. I asked if she could provide any names or apartments this happened to and she didn't want to share anything. We concluded the meeting. Rachael had already picked up her bedroom key, but informed me that she had actually switched rooms and needed a different bedroom recored (I think it was we recored C because that's where she was originally, but she needed D because she moved there...or vice versa). I said I can take the wrong key back and see if I can get the new one recored today – Rachael gave me both bedroom keys, and then the mom asked Rachael if she wanted to keep her current key so she can keep her room locked until it's changed...Rachael said she didn't because the room was unlocked anyway...

From: Molly A. Burrows Schumacher (staff) <Molly.BurrowsSchumacher@loras.edu>
Sent: Tuesday, December 22, 2020 3:53 PM
To: Jim Collins <Jim.Collins@loras.edu>; Katie Keleher-Garfoot <Katie.Keleher-Garfoot@loras.edu>; Matthew E. Saylor <Matthew.Saylor@loras.edu>; Matthew D. Pucci <Matthew.Pucci@loras.edu>; Nancy Z. Fett <Nancy.Fett@loras.edu>; Donna N. Heald <Donna.Heald@loras.edu>
Cc: Arthur W. Sunleaf <Arthur.Sunleaf@loras.edu>
Subject: Request for Information

Hello Everyone,

I'm reaching out today to see if you could please provide us with any emails, messages, or summaries of conversations you have had with student Rachael Swift and/or her family, or regarding requests from Rachael Swift and/or her family from September 6, 2020, until the present at your earliest convenience. If there are other individuals you are aware also spoke with Rachael Swift and/or her family, if you could please share their names, it would be appreciated. Please let me know if you have any questions.

Thank you,

1450 Alta Vista St
Dubuque, IA 52001
donna.heald@loras.edu
563-588-7935

V

From: "Rachael N. Swift" <Rachael.Swift@loras.edu>
Date: Monday, September 7, 2020 at 8:36 PM
To: "Donna N. Heald" <Donna.Heald@loras.edu>
Subject: RE: Concern About Classes

Donna,
I am available between 11:00 and 3:00 tomorrow.
Thanks,
Rachael

From: Donna N. Heald <Donna.Heald@loras.edu>
Sent: Monday, September 7, 2020 4:00 PM
To: Rachael N. Swift <Rachael.Swift@loras.edu>
Subject: Concern About Classes

Dear Rachael,

Dr. Sunleaf notified me that you have a concern with some of your classes. Would you be willing to share those concerns with me? If you prefer to talk, perhaps we can set up a phone conversation.

Best regards,
Donna Heald

—
Donna N. Heald, Ph.D.
Vice President for Academic Affairs and Academic Dean
Loras College
1450 Alta Vista St
Dubuque, IA 52001
donna.heald@loras.edu
563.588.7935

Donna,

That works for me. My mom and I will be there. Where is your office?

Thanks,
Rachael

From: Donna N. Heald <Donna.Heald@loras.edu>
Sent: Monday, September 7, 2020 9:39 PM
To: Rachael N. Swift <Rachael.Swift@loras.edu>
Subject: Re: Concern About Classes

Rachael,

Is it possible for you to meet at 8:15 am?

Regards,
Donna Heald

—
Donna N. Heald, Ph.D.
Vice President for Academic Affairs and Academic Dean
Loras College
1450 Alta Vista St
Dubuque, IA 52001
donna.heald@loras.edu
563-588-7935

From: "Rachael N. Swift" <Rachael.Swift@loras.edu>
Date: Monday, September 7, 2020 at 9:37 PM
To: "Donna N. Heald" <Donna.Heald@loras.edu>
Subject: RE: Concern About Classes

Can you meet first thing in the morning?

Rachael

From: Donna N. Heald <Donna.Heald@loras.edu>
Sent: Monday, September 7, 2020 8:43 PM
To: Rachael N. Swift <Rachael.Swift@loras.edu>
Subject: Re: Concern About Classes

Hi Rachael,

Those times are not possible for me tomorrow, but I can meet with you 4-5 pm. I am also available on Wednesday, 1-2 pm.

Best regards,
Donna Heald

—
Donna N. Heald, Ph.D.
Vice President for Academic Affairs and Academic Dean
Loras College

✓

Molly A. Burrows Schumacher (staff)

From: Donna N. Heald
Sent: Thursday, September 10, 2020 8:00 AM
To: Rachael N. Swift
Subject: Re: Concern About Classes

Dear Rachael,

I spoke with Dr. Salyer yesterday and shared with him your concerns regarding the instruction in EDU 336 and EDU 340. He is going to follow up with both instructors, while not revealing your name to either. Please feel free to reach out to Dr. Salyer directly regarding your concerns or if you have any additional information. It is possible Dr. Salyer will ask to speak with you about this on Friday when he sees you in class. Rest assured, I told him you did not have any concerns with his class. Please do let me know if you have continuing concerns.

Best regards,
Donna Heald

—
Donna N. Heald, Ph.D.
Vice President for Academic Affairs and Academic Dean
Loras College
1450 Alta Vista St
Dubuque, IA 52001
donna.heald@loras.edu
563-588-7935

From: "Donna N. Heald" <Donna.Heald@loras.edu>
Date: Monday, September 7, 2020 at 10:31 PM
To: "Rachael N. Swift" <Rachael.Swift@loras.edu>
Subject: Re: Concern About Classes

Rachael,

My office is located in Keane 120, but we will need to meet in a nearby conference room. Please come to Keane 120 and we will walk to the conference room from there.

DNH

—
Donna N. Heald, Ph.D.
Vice President for Academic Affairs and Academic Dean
Loras College
1450 Alta Vista St
Dubuque, IA 52001
donna.heald@loras.edu
563-588-7935

From: "Rachael N. Swift" <Rachael.Swift@loras.edu>
Date: Monday, September 7, 2020 at 9:45 PM
To: "Donna N. Heald" <Donna.Heald@loras.edu>
Subject: RE: Concern About Classes

From: Katie Keleher-Garfoot <Katie.Keleher-Garfoot@loras.edu>
Sent: Tuesday, December 29, 2020 10:21 AM
To: Molly A. Burrows Schumacher (staff)
Subject: FW: Incident

From: Rachael N. Swift <Rachael.Swift@loras.edu>
Sent: Tuesday, September 8, 2020 10:57 AM
To: Katie Keleher-Garfoot <Katie.Keleher-Garfoot@loras.edu>
Subject: RE: Incident

Thank You! See you there.

From: Katie Keleher-Garfoot <Katie.Keleher-Garfoot@loras.edu>
Sent: Tuesday, September 8, 2020 10:23 AM
To: Rachael N. Swift <Rachael.Swift@loras.edu>
Subject: RE: Incident

I was able to reserve 554 in the ACC – it's just down the hall from the Campus Life Center. I will go down a little bit before 1 to have the door open so I will meet you there! I'll try to go out in the hallway as well so you can see me!

Katie K.

From: Rachael N. Swift <Rachael.Swift@loras.edu>
Sent: Tuesday, September 8, 2020 10:11 AM
To: Katie Keleher-Garfoot <Katie.Keleher-Garfoot@loras.edu>
Subject: RE: Incident

Hi Katie,

1:00 works for me and my mom. Should we meet in your office and walk to the conference room together?

Thanks,
Rachael

From: Katie Keleher-Garfoot <Katie.Keleher-Garfoot@loras.edu>
Sent: Tuesday, September 8, 2020 10:01 AM
To: Rachael N. Swift <Rachael.Swift@loras.edu>
Subject: RE: Incident

Hi Rachael,

I should be able to meet at 1pm today. Let me check to make sure a conference room is available today, I will get back to you soon to confirm!

I am also about to send a message to you and your roommates – your keys are ready so I'll be taking them down to Info shortly!

Katie K.

From: Rachael N. Swift <Rachael.Swift@loras.edu>
Sent: Monday, September 7, 2020 10:07 PM
To: Katie Keleher-Garfoot <Katie.Keleher-Garfoot@loras.edu>
Subject: RE: Incident

Hello Katie,

I would like to meet in person. My mom and I would like to talk about what happened and what else can be done to the apartment to make me and my roommates feel safer. She will only be in till tomorrow, so if we can meet that would be great. We can meet between 11:00-3:00.

Thank you,
Rachael Swift

From: Katie Keleher-Garfoot <Katie.Keleher-Garfoot@loras.edu>
Sent: Monday, September 7, 2020 8:58 AM
To: Rachael N. Swift <Rachael.Swift@loras.edu>
Subject: Incident

Hi Rachael,

I was just made aware of a situation in your apartment this weekend. Would you like to meet to discuss? I'm happy to talk with you about this. Would you like to meet in person or virtual? If you'd like to meet in person, just let me know and I will reserve a conference room so that we can maintain social distancing. If you are fine meeting virtual, do you have Microsoft Teams set up? Or would you prefer zoom? Let me know either way and I'll make arrangements for a meeting! I have most of the day free, only time I'm not available is 1:30-3pm this afternoon.

Katie K.

Katie Keleher-Garfoot, M.S.
Assistant Director of Residence Life
Loras College
563.588.7060
katie.keleher-garfoot@loras.edu
BE MORE. BE LORAS.

Molly A. Burrows Schumacher (staff)

From: Molly A. Burrows Schumacher (staff)
Sent: Tuesday, September 8, 2020 5:36 PM
To: Matthew E. Saylor; Aaron M. Donath; Alex J. Leigh; Darrian D. Hugger; David E. Koch; Dylan G. Ervin; Jeffrey A. Swart; Jill A. Heitzman; Kyle T. Leeson; Mark R. Sutter; Martha L. Mills; Mary M. Droessler; Michael Urbain; Ralph J. Ellwanger; Raymond F. Leppert; Rebecca S. Guerdet; Robert J. Rosenow; Ronda L. Jasper; Sarah E. Baule
Subject: Request for Additional Rounds

Hello Everyone,

We've also had few requests for additional rounds in the following areas:

- Byrne Oaks – A female student reported waking to an intruder in her apartment on 9/6. I'm currently investigating – fob access reports show the next door neighbor entering the building just a few minutes earlier, so I'm hoping it's a case of someone inadvertently entering the wrong apartment. Until that's determined for sure, please do extra rounds on 1st floor Byrne Oaks and around the perimeter of the building.
- Rohlman, 3rd floor – having issues with marijuana odor. Staff has asked if you could also swing through from time to time and see if you can help them pinpoint where this issue is coming from. Questions about what staff have seen should go to Aidan Wojcieszowski.

Please let me know if you have any questions.

Thanks!

Molly

Molly Burrows Schumacher

Assistant Dean of Students

LORAS COLLEGE

1450 Alta Vista St

Dubuque, IA 52001

563.588.7137

molly.burrowsschumacher@loras.edu

BE MORE BE LORAS

From: Matthew E. Saylor <Matthew.Saylor@loras.edu>

Sent: Tuesday, September 8, 2020 4:49 PM

To: Aaron M. Donath <ad534940@loras.edu>; Alex J. Leigh <Alex.Leigh@loras.edu>; Darrian D. Hugger <Darrian.Hugger@loras.edu>; David E. Koch <David.Koch@loras.edu>; Dylan G. Ervin <Dylan.Ervin@loras.edu>; Jeffrey A. Swart <Jeffrey.Swart@loras.edu>; Jill A. Heitzman <Jill.Heitzman@loras.edu>; Kyle T. Leeson <Kyle.Leeson@loras.edu>; Mark R. Sutter <Mark.Sutter@loras.edu>; Martha L. Mills <Martha.Mills@loras.edu>; Mary M. Droessler <Mary.Droessler@loras.edu>; Michael Urbain <Michael.Urbain@loras.edu>; Molly A. Burrows Schumacher (staff) <Molly.BurrowsSchumacher@loras.edu>; Ralph J. Ellwanger <Ralph.Ellwanger@loras.edu>; Raymond F. Leppert <Raymond.Leppert@loras.edu>; Rebecca S. Guerdet <Rebecca.Guerdet@loras.edu>; Robert J. Rosenow <Robert.Rosenow@loras.edu>; Ronda L. Jasper <Ronda.Jasper@loras.edu>; Sarah E. Baule <Sarah.Baule@loras.edu>

Subject: Bishop Loras

Molly A. Burrows Schumacher (staff)

From: Molly A. Burrows Schumacher (staff)
Sent: Tuesday, September 15, 2020 10:19 PM
To: Aaron M. Donath; Alex J. Leigh; Darrian D. Hugger; David E. Koch; Dylan G. Ervin; Jeffrey A. Swart; Jill A. Heitzman; Kyle T. Leeson; Mark R. Sutter; Martha L. Mills; Mary M. Droessler; Michael Urbain; Ralph J. Ellwanger; Raymond F. Leppert; Rebecca S. Guerdet; Robert J. Rosenow; Ronda L. Jasper; Sarah E. Baule; Matthew E. Saylor
Subject: increased rounds requested at Byrne Oaks
Categories: Red Category

I hope this message finds you all well! Please maintain an increased presence in the area of Byrne Oaks – with additional rounds through the building and around the building when possible. We are still investigating the issue I mentioned in my email on 9/8, and the rounds have been requested by the student and their family to help the student feel comfortable in the building.

Thank you,

Molly

Molly Burrows Schumacher
Assistant Dean of Students

1450 Alta Vista St
Dubuque, IA 52001
molly.burrowsschumacher@loras.edu


P

Molly A. Burrows Schumacher (staff)

From: Molly A. Burrows Schumacher (staff)
Sent: Tuesday, November 24, 2020 11:41 AM
To: Aaron M. Donath; Alex J. Leigh; Darrian D. Hugger; David E. Koch; Dylan G. Ervin; Jeffrey A. Swart; Kyle T. Leeson; Mark R. Sutter; Martha L. Mills; Mary M. Droessler; Michael Urbain; Ralph J. Ellwanger; Raymond F. Leppert; Rebecca S. Guerdet; Robert J. Rosenow; Ronda L. Jasper; Sarah E. Baule; Matthew E. Saylor
Subject: Please maintain an increased presence at Byrne Oaks
Importance: High

I hope this message finds you all well!! Please maintain an increased presence in the area of Byrne Oaks – with additional rounds through the building and around the building through the winter break period. We are now investigating an additional incident from this past Sunday morning around 4:00 a.m. where a resident of 303 Byrne Oaks was sleeping (door unlocked) and alleges she woke to find someone standing at the foot of the bed. The student reports that the individual got down on the ground and crawled out of the apartment. No additional description information available at this time. We will also be asking PD to assist in monitoring the neighborhood area more closely, and are working to get additional cameras established at the hall to help provide additional visual surveillance of the side entrance doors. Please let me know if you have any questions!

Thank you,

Molly

Molly Burrows Schumacher
Assistant Dean of Students
LORAS COLLEGE
1450 Alta Vista St
Dubuque, IA 52001
molly.burrowsschumacher@loras.edu
BE MORE BE LORAS

Molly A. Burrows Schumacher (staff)

From: Molly A. Burrows Schumacher (staff)
Sent: Tuesday, September 8, 2020 5:13 PM
To: Kyle L. Hall
Subject: touching base

Hi Kyle,

I work with Campus Safety, and I'm reaching out today because I am investigating a report from this past weekend. A female student reported that on 9/6, around 4:20 a.m., an individual entered her apartment on the 1st floor of Byrne Oaks and approached her individual room door, Door D.

I'm reaching out today because our fob access system indicates that you had entered the first floor of Byrne Oaks around 4:03 a.m. on that date, and I am wondering if you may have seen anyone on the floor around that time or anything of concern? If you noticed anything, we would appreciate any information you might be able to share to help us learn more about what happened. We know that from time to time, especially at the beginning of the year, people sometimes get turned around in the building and attempt to enter a door that's not their own — so we're hoping that is what we find by searching further with those who may have been in the area at the time.

Thanks so much,

Molly
Molly Burrows Schumacher
Assistant Dean of Students
LORAS COLLEGE
1450 Alta Vista St
Dubuque, IA 52001
563.588.7137
molly.burrowsschumacher@loras.edu
BE MORE. BE LORAS.

Molly A. Burrows Schumacher (staff)

From: Molly A. Burrows Schumacher (staff)
Sent: Tuesday, September 8, 2020 11:11 PM
To: Kyle L. Hall
Subject: Re: touching base

Thanks, Kyle! Knowing where we didn't see anything helps too. I appreciate the quick reply!

Molly

Sent from my iPhone

On Sep 8, 2020, at 9:18 PM, Kyle L. Hall <Kyle.Hall@loras.edu> wrote:

When I walked in at that time, I did not see anything suspicious. There was nobody else in the hallways at that time. I went straight to my room, and did not see anything that would be of concern on my way there. Sorry that I can't help you out any more.

From,
Kyle L. Hall

From: Molly A. Burrows Schumacher (staff)
Sent: Tuesday, September 8, 2020 5:13 PM
To: Kyle L. Hall <Kyle.Hall@loras.edu>
Subject: touching base

Hi Kyle,

I work with Campus Safety, and I'm reaching out today because I am investigating a report from this past weekend. A female student reported that on 9/6, around 4:20 a.m., an individual entered her apartment on the 1st floor of Byrne Oaks and approached her individual room door, Door

I'm reaching out today because our fob access system indicates that you had entered the first floor of Byrne Oaks around 4:03 a.m. on that date, and I am wondering if you may have seen anyone on the floor around that time or anything of concern? If you noticed anything, we would appreciate any information you might be able to share to help us learn more about what happened. We know that from time to time, especially at the beginning of the year, people sometimes get turned around in the building and attempt to enter a door that's not their own – so we're hoping that is what we find by searching further with those who may have been in the area at the time.

Thanks so much,

Molly
Molly Burrows Schumacher
Assistant Dean of Students
LORAS COLLEGE
1450 Alta Vista St

Y

Molly A. Burrows Schumacher (staff)

From: Molly A. Burrows Schumacher (staff)
Sent: Tuesday, September 8, 2020 5:30 PM
To: Arthur W. Sunleaf
Subject: Swift Investigation

Just an update on Swift situation –

Approximately 10-15 minutes before Rachael Swift found someone in her room doorway, Kyle Hall, who lives in 103 Byrne Oaks (right next door), entered the building via the main entrance. Hall has decreased eyesight due to abnormal visual development.

I've reached out to him indicating that we know he fobbed in around the time of the incident, and that we'd like to know if he saw anything that seemed out of the ordinary. I mentioned that in cases like this at the beginning of the year, we often find that someone may have accidentally entered the wrong apartment, and so conversations like this help us better determine what happened in a given situation. I'll let you know what I learn from him.



Katie met with Rachael, her mom, and her sister today. They accepted safety devices. They want a warning posted on the doors. They indicated the exterior doors are always propped (which – why wait and tell us now?), and that fob reports won't help... all doors were secured at the time based on the fob list. The mom started in and accused the college of trying to cover up for having "intruders" in our buildings. Katie told her that there are many things to consider in a situation like this, and so we follow our processes and protocols in place.

I had arranged with Maintenance to key that apartment first this am. Apparently, it was not completed until later today – Katie met with the family at 1:30 and it still wasn't done. Rachel has emailed me and asked why we don't offer the additional items to all students when they move in. I have not yet engaged her, but plan to share that not all students are interested in the devices, some prefer to bring their own, etc.

I think that's the last update on her for today. Thanks!

Molly

Molly Burrows Schumacher
Assistant Dean of Students

LORAS CURATOR
 1450 Alta Vista St
 Dubuque, IA 52001
 563.588.7137
molly.burrowsschumacher@lorias.edu
SEE MORE BE LORAS

Molly A. Burrows Schumacher (staff)

From: Kyle L. Hall
Sent: Wednesday, September 9, 2020 10:36 AM
To: Molly A. Burrows Schumacher (staff)
Subject: RE: touching base

That would've been the only place where I would've saw something, but like I said, nobody was in the hallways at that time when I got back. I don't know about upstairs because there was no need for me to go up there since my room is on the first floor.

Kyle

From: Molly A. Burrows Schumacher (staff)
Sent: Tuesday, September 8, 2020 11:11 PM
To: Kyle L. Hall <Kyle.Hall@loras.edu>
Subject: Re: touching base

Thanks, Kyle! Knowing where we didn't see anything helps too. I appreciate the quick reply!

Molly

Sent from my iPhone

On Sep 8, 2020, at 9:18 PM, Kyle L. Hall <Kyle.Hall@loras.edu> wrote:

When I walked in at that time, I did not see anything suspicious. There was nobody else in the hallways at that time. I went straight to my room, and did not see anything that would be of concern on my way there. Sorry that I can't help you out any more.

From,
 Kyle L. Hall

From: Molly A. Burrows Schumacher (staff)
Sent: Tuesday, September 8, 2020 5:13 PM
To: Kyle L. Hall <Kyle.Hall@loras.edu>
Subject: touching base

Hi Kyle,

I work with Campus Safety, and I'm reaching out today because I am investigating a report from this past weekend. A female student reported that on 9/6, around 4:20 a.m., an individual entered her apartment on the 1st floor of Byrne Oaks and approached her individual room door, Door D.

I'm reaching out today because our fob access system indicates that you had entered the first floor of Byrne Oaks around 4:03 a.m. on that date, and I am wondering if you may have seen anyone on the floor around that time or anything of concern? If you noticed anything, we would appreciate any information you might be able to share to help us learn more about what happened. We know that

VV

That would've been the only place where I would've saw something, but like I said, nobody was in the hallways at that time when I got back. I don't know about upstairs because there was no need for me to go up there since my room is on the first floor.

Burrows Schumacher noted that she was surprised by Hall's second response, and felt it seemed slightly defensive.

September 10, 2020

- Donna Heald sent an email to Rachael Swift at 8:00 a.m. on Thursday, September 10, 2020, indicating that she (Heald) had spoken with Dr. Salyer and shared with him her (Rachael's) concerns about instruction in EDU336 and EDU340. Her email indicates:

He is going to follow up with both instructors while not revealing your name to either. Please feel free to reach out to Dr. Salyer directly regarding your concerns or if you have any additional information. It is possible Dr. Salyer will ask to speak with you about this on Friday when he sees you in class. Rest assured, I told him you did not have any concerns with his class. Please do let me know if you have continuing concerns.

September 11, 2020

- Katie Keleher-Garfoot reached out at 9:28 a.m. via email to discuss the possibility of the deadbolt lock installation with John McDermott, Physical Plant. McDermott replied at 9:32 a.m. indicating that it was not possible to install the deadbolt lock on the apartment.

September 14, 2020

- Report 00154-2020 Reported on September 14, 2020, 12:48 a.m. by Rachael Swift. Incident date September 6, 2020, approximately 4:00 a.m. Complainant Rachael Swift. Lists involved parties as Dean Waterbury (believed to be Dean Sunleaf), President Collins, Assistant Dean of Residence Life Katie (believed to be Katie Keleher-Garfoot), and unknown male intruder

On September 6, 2020, an unknown male broke into my campus apartment. I reported the incident to campus police, Dubuque PD, Residence Advisors, Dean of Students, Assistant Dean of Residence Life, and Loras President. I have requested that Loras provide additional safety measures including by not limited to a deadbolt lock, yet Loras has done nothing to protect my safety. Additionally I have asked for information about the investigation into who broke into my apartment, but have received limited updates. I believe Loras is discriminating against me because I am a female student that has been subjected to a sexual assault.

September 15, 2020

- Molly Burrows Schumacher was made aware that a requested deadbolt for the door of 101 Byrne Oaks had been denied. On this date, Burrows Schumacher reached out to John McDermott, Physical Plant, at 3:52 p.m. via email and requested installing a deadbolt on 101 Byrne Oaks.
- On Tuesday, September 15, 2020, at 7:09 p.m., Nancy Fett responded via email to a phone call on her office phone from Rachael Swift. Fett's email indicated:

Thank you for your phone call. I have not been in my office all week and am not sure when you left your message. Thank you for having the courage to advocate for yourself on this personal matter. I only wish more women did. You will likely be contacted by one of two people: Matt Saylor in Security or Molly Burrows Schumacher in Student Life. They will conduct an investigation, ask for your side of the story, if there are witnesses, etc. They will also contact the alleged perpetrator to discuss the matter.

My role is to assure the process is followed, monitor the report, ask questions, and suggest alternative approaches/questions/theories and assure the matter is handled professionally, according to our policy, and with utter fairness.

LORAS 0711

Molly A. Burrows Schumacher (staff)

From: Katie Keleher-Garfoot
Sent: Friday, September 11, 2020 9:28 AM
To: John R. McDermott
Cc: Molly A. Burrows Schumacher (staff)
Subject: Dead bolt?

Hey John,

I'm assuming this is a no, but figured I'd ask anyway. Is it possible to add a dead bolt to a main door BO apartment? Same apartment that was recored per Art and Molly – wondering about the possibility of a dead bolt now as well... Thanks John!

Katie K.

Katie Keleher-Garfoot, m.s.
Assistant Director of Residence Life
Loras College
563.588.7060
katie.keleher-garfoot@loras.edu
BE MORE. BE LORAS.

Molly A. Burrows Schumacher (staff)

From: John R. McDermott
Sent: Friday, September 11, 2020 9:32 AM
To: Katie Keleher-Garfoot
Cc: Molly A. Burrows Schumacher (staff)
Subject: RE: Dead bolt?

That would be the assumption I would make McD

From: Katie Keleher-Garfoot <Katie.Keleher-Garfoot@loras.edu>
Sent: Friday, September 11, 2020 9:28 AM
To: John R. McDermott <John.McDermott@loras.edu>
Cc: Molly A. Burrows Schumacher (staff) <Molly.BurrowsSchumacher@loras.edu>
Subject: Dead bolt?

Hey John,

I'm assuming this is a no, but figured I'd ask anyway. Is it possible to add a dead bolt to a main door BO apartment? Same apartment that was recored per Art and Molly – wondering about the possibility of a dead bolt now as well... Thanks John!

Katie K.

Katie Keleher-Garfoot, M.S.
Assistant Director of Residence Life
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katie.keleher-garfoot@loras.edu
BE MORE. BE LORAS.

RACHAEL SWIFT,)	
)	
Plaintiff,)	Civil No. 2:22-CV-01019-LTS-KEM
)	
vs.)	AFFIDAVIT OF JAMES E. COLLINS
)	IN SUPPORT OF MOTION FOR
LORAS COLLEGE,)	SUMMARY JUDGMENT
)	
Defendant.)	
)	

James E. Collins, being first duly sworn upon oath, hereby deposes and states as follows:

- #3437750

7. Although I knew Kostopoulos' statements were inaccurate, I agreed to follow up with my respective colleagues about each of the issues advanced.

8. Following the telephone call, I contacted Art Sunleaf, Dean of Students, Academic Dean Donna Heald, and Director of Counseling, Tricia Borelli, ("Borelli") regarding the concerns addressed during my call with Swift and Kostopoulos.

9. On October 8, 2020, I again spoke on the telephone with Swift and Kostopoulos.

10. Kostopolous indicated she preferred working out something directly with Loras, as opposed to engaging a legal approach.

11. I asked what Swift wanted resolved and/or for Loras to do.

12. Kostopolous alleged all of the academic and residential challenges Swift had to endure were a result of Loras doing nothing to address the incident.

13. I told Kostopolous this was not true, but for Loras to even consider anything, especially if she was suggesting a financial concession, I would need a written communication specifically identifying the issues and what was desired.

14. Kostopolous asked if she could send the details through an e-mail.

15. I said, "yes," and provided my e-mail address.

16. Kostopolous stated I was the only one listening to their concerns, and thanked me for my time.

17. After the October 8, 2020 phone call, neither I, nor any other representative of Loras, received any follow-up correspondence from Kostopolous until January 11, 2021.


18. On January 11, 2021, I received an email from Kostopoulos.

19. She requested a complete waiver of Swift's tuition for the 2020 school year, "due to the complete failure of Loras College to adequately act after the break-in that occurred at her

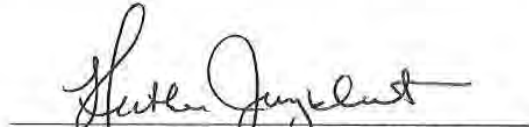
daughter's campus apartment in September 2020.”

20. Kostopoulous indicated “we have not heard back from you or anyone at the College regarding this matter since our call-in early October.”

21. Her statement was inaccurate, as representatives from Loras were in contact with Swift, or her retained counsel, at least six times from October 2020 until January 2021.


James E. Collins

Subscribed and sworn to before me by James E. Collins this 9 day of August, 2023.


NOTARY PUBLIC IN AND FOR
THE STATE OF IOWA

(SEAL)



requested info on 2/11/21
received on 2/11/21

Troy M. Wright

From: Tricia S. Borelli
Sent: Thursday, February 11, 2021 4:55 PM
To: Troy M. Wright
Subject: FW: checking in

Here is the only exchange I had with Rachael. Unfortunately, I never met her in person.

Please let me know if you need anything else.

Tricia

From: Tricia S. Borelli
Sent: Wednesday, September 16, 2020 9:04 AM
To: Rachael N. Swift <Rachael.Swift@loras.edu>
Subject: RE: checking in

Okay. Thanks for checking back in. We are always available if you need more support. 😊

From: Rachael N. Swift
Sent: Tuesday, September 15, 2020 9:45 PM
To: Tricia S. Borelli <Tricia.Borelli@loras.edu>
Subject: RE: checking in

Good evening Tricia,

I want to apologize for the late response. I haven't been on campus since Friday. I am already have someone who I am talking to about what happened. If I need any more help I will contact you.

Thank you,

Rachael

From: Tricia S. Borelli <Tricia.Borelli@loras.edu>
Sent: Friday, September 11, 2020 11:01 AM
To: Rachael N. Swift <Rachael.Swift@loras.edu>
Subject: checking in

Hi Rachael,

I just got off of the phone with President Collins who shared with me your unfortunate experience in BO earlier this week. I'm so sorry. That must have been really scary. I wanted to reach out and offer support and see if you wanted to talk either via telehealth while you are home, or in person when you get back. We are meeting with students both here in the Counseling Center which is right next to the Health Center in the ACC and online through a program called doxy.

Please take care of yourself and let me know if you need me to talk with any professors regarding you're not being 100% right now. Please also just let me know how you are doing and if you would like to chat.



Wednesday, January 27, 2021 | 1:07 pm
User: Molly Burrows Schumacher, Staff

Incident Report Information

IR#

00154-2020

Reported On

September 14, 2020 12:48 PM

Reported By

Rachael Swift

Incident Type

Campus Safety Concern

Reporter's Name

Rachael Swift

Reporter's Email

rachael.swift04@gmail.com

Reporter's Phone

2245482807

Time and Location of Incident

Date/Time of Incident

September 6, 2020 4:00 am

Location of Incident

Campus Housing

Parties Involved

Other Involved Individual(s)

Dean of Students Waterbury [Report processor believes this may be Dean Sunleaf]

President Collins

Assistant Dean of Residence Life Katie [Report processor believes this is Katie Keleher-Garfoot]

Unknown male

(Processor adds) Bob Rosenow, Campus Safety

Victims/Complainants

Swift, Rachael (0544662)

Descriptive Information

Incident Description

On September 6, 2020 an unknown male broke into my campus apartment. I reported the incident to campus police, Dubuque PD, Residence advisors, Dean of Students, Assistant Dean of residence life and Loras President. I have requested that Loras provide additional safety measures including, but not limited to, a deadbolt lock, yet Loras has done nothing to protect my safety. Additionally, I have asked for information about the investigation into who broke into my apartment, but have received limited updates. I believe Loras is discriminating against me because I am a female student that has been subjected to a sexual assault.

Status

Pending

Additional Information

LORAS 0137

EMS Called
No

Area Coordinator Called
No

Police Called
Yes

Police Report #
Requested from Reporting student

Physical Plant Contacted
Yes

Alcohol Involved
No

Administrative Action

Appealed
No

LORAS 0138

Updates

Katie Keleher-Garfoot <Katie.Keleher-Garfoot@loras.edu>

Tue 9/15/2020 12:08 PM

To: Rachael N. Swift <Rachael.Swift@loras.edu>

Cc: Molly A. Burrows Schumacher (staff) <Molly.BurrowsSchumacher@loras.edu>; John R. McDermott <John.McDermott@loras.edu>

Hi Rachael,

I just got the bars for the windows and door alarms in the mail this morning! So those are ready – would you like me to leave them at the Information Desk for you, or would you like assistance in putting them up? I can ask one of your CAs to bring them by if you'd like assistance, just let me know! How many door alarms would you like? Just one for the front door or one for any of the bedrooms as well?

You had asked about the deadbolt on the front door. I was told it would not be possible per the Physical Plant. If you have more questions, I've CC'd John McDermott on this message – he may be able to answer any additional questions you have about that.

For requesting a copy of the report, you can request it officially via email – so you can reply to this message with the request and we can provide the copy.

I also have an answer to your question about the blue lights. Student Union looked into the blue lights as an option on campus, and has done so periodically over the past few years. From what I understand, survey responses were collected from our students, and most students indicated their first choice for call would be their cell phone. There are also some challenges at other schools that have them with false reporting, and the last time this was researched, there were institutions removing these posts from their campuses. However, we can definitely bring the idea forward again to the college for review at your request? It may take about a week to gather all the pricing information for available options, but we can create a proposal for consideration. Are there any specific places you were hoping to see blue lights? We have a layout that we've used in past considerations - but if there are other areas from the student perspective to consider, that would be helpful.

Please let me know how many of the door alarms you would like and if you'd like assistance in putting the bars and alarms up, and we'll make arrangements from there! Thank you!

Katie Keleher-Garfoot, M.S.
Assistant Director of Residence Life
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katie.keleher-garfoot@loras.edu
BE MORE. BE LORAS.

BB

Molly A. Burrows Schumacher (staff)

From: Molly A. Burrows Schumacher (staff)
Sent: Tuesday, September 15, 2020 12:25 PM
To: Arthur W. Sunleaf
Subject: Cam

Hey - working on rosters but also swift case. So you are aware - I am requesting we move the camera that faces out of Hoffman toward the entrance to the BO entrance also spanning the lot for awhile to help with the Swift family concerns. If you could support if asked, that would be great. I'm assuming cost is just our labor since we have an office there. If there turns out to be an actual cost - I will let you know and we can decide.

The family also wants blue light poles - I indicated we can submit a proposal with any feedback she has. Waiting for that feedback.

Thanks -

Sent from my iPhone

Molly A. Burrows Schumacher (staff)

From: Daniel <dan@locksmithexpress.com>
Sent: Thursday, September 17, 2020 8:14 AM
To: John R. McDermott
Cc: Molly A. Burrows Schumacher (staff)
Subject: Re: Deadbolt request

John

I will review this door and let you know what we can do.

Thanks
Daniel R. Walling CPL, IFDIA, DHT, CFDAI
563-580-4442
The Locksmith Express
450 Central Ave
Dubuque, IA 52001

On Sep 17, 2020, at 7:30 AM, John R. McDermott <John.McDermott@loras.edu> wrote:

I forwarded this to Dan for pricing. Not sure if those doors carry a fire rating and if so what it does to it?

John McD

On Sep 15, 2020, at 3:52 PM, Molly A. Burrows Schumacher (staff)
<Molly.BurrowsSchumacher@loras.edu> wrote:

In the interest of providing a solution for a student that would significantly help improve the situation, could we put a deadbolt that works with our master on apartment 101 Byrne Oaks? I know the reasons we likely wouldn't do this, but I'm asking if we can, how soon, and how much?

Thanks,

Molly

Molly Burrows Schumacher
Assistant Dean of Students

1450 Alta Vista St
Dubuque, IA 52001
molly.burrowsschumacher@loras.edu
BE MORE BE LORAS

Mandatory Reporters under Iowa Code 232.69 and 261.9(h)

It is possible that some reporters, as well as others who interact with minors who are on campus or participating in off-campus college-sponsored programs may be mandatory reporters of child abuse under Iowa Code §232.69. These individuals have additional responsibilities to report all forms of child abuse as described in Iowa Code § 232.68(2). Under §232.69, mandatory reporters must report suspected abuse to the Department of Human Services. Child abuse can be reported to the Department of Human Services by calling the toll-free child abuse reporting hotline 24 hours a day: 1.800.362.2178. Loras College encourages everybody, including those who are not mandatory reporters under Iowa Code §232.69, to report all forms of child abuse to the Department of Human Services in addition to reporting to the Title IX Coordinator and the Department of Public Safety under this policy. Consistent with Iowa law, the College will take no retaliatory action against an employee who makes a good faith report of child abuse.

Title IX/Sex Discrimination Policy

Loras does not discriminate on the basis of sex in its educational programs and activities, and we are required by Title IX not to discriminate in such a manner. Questions regarding Title IX may be directed to our Title IX Coordinator Nancy Fett at 563.588.7029, nancy.fett@loras.edu, or to the Office for Civil Rights.

Sexual Misconduct Policy and Grievance Procedures

The Catholic tradition affirms the inherent dignity of each person and the need to respect it: "When we deal with each other, we should do so with the sense of awe that arises in the presence of something that is holy and sacred. For that is what human beings are: we are created in the image of God." (US Bishops, Economic Justice for All). Thus, Loras College is committed to having a positive learning and working environment for its students and employees and will not tolerate sexual misconduct. This principle is consistent with the mission of the College that "recognizes the human dignity of each individual and challenges men and women to grow with purpose and direction." Sex misconduct is demeaning and degrading, and can have a negative impact on a person's performance at work or in class. Sexual misconduct of any kind will not be tolerated. Disciplinary sanctions will be taken up to and including discharge for College employees and expulsion of students.

This policy covers all members of, or visitors to, Loras College and those otherwise associated with the College to include but not limited to: administrators, faculty, staff (administrative, professional and hourly), students, vendors, contractors, volunteers and internship supervisors. The College may impose discipline or sanctions if sexual misconduct occurs on or off College premises if there is any connection with a person's participation in a College-sponsored organization, program or activity, or if the conduct poses a risk of harm to any member of the campus community.

The fact that someone did not intend to sexually harass an individual is not necessarily a defense to a complaint of sex discrimination. Regardless of intent, it is the duration, effect and characteristics of the behavior that determine whether the behavior constitutes sex discrimination. Harassing conduct may be disciplined even if the complaining person is not the intended target of the conduct. Academic presentations of the Catholic Church's moral teaching regarding sexuality are very appropriate and consistent with the College's mission, and may not be claimed as violations of this policy.

The Equal Employment Opportunity (EEO) Officer shall be responsible for promoting understanding and acceptance of, and assuring compliance with local, State and Federal laws and this policy. The EEO Officer will ascertain that notice of this policy is circulated to the employees and students of Loras College. The policy will be

incorporated into the Student Handbook, as well as the handbooks for faculty, salaried and hourly employees. Resource materials and educational programs on this policy and on the prevention of harassment shall be provided to employees and students. Information on this policy will also be distributed to volunteers, internship supervisors, vendors and contractors.

Nothing contained within this policy shall be construed to change or modify the principles of Academic Freedom or Freedom of Expression expressed in sections VII and VIII of the Regent's Position Paper contained with the Loras College Faculty Handbook.

Statement of Consent

The College believes that consent is essential in matters involving sexual activity. Consent is informed, through mutually understandable words that indicate a willingness to participate in a mutually agreed upon sexual activity. Talking with a partner about sexual activity may seem awkward, but such conversations serve as the basis for sexual experiences in the context of mutual willingness and respect. Furthermore, at any time during consensual sexual activity, a person may refuse to continue further with any sexual activity. Consensual sexual activity recognizes sober, verbal communication, free of threats or other coercion. College policy recognizes that someone who is under the influence of drugs and/or alcohol is unable to give consent. From the point of refusal, any previous consent is rendered invalid.

Consensual Amorous Relationship Policy

Employees should be sensitive to the fact that they have a professional responsibility for students in such matters as counseling, evaluating, supervising, advising and providing services to students as a part of the school program. Consensual relations are defined as amorous, romantic or sexual relationships into which both parties have voluntarily entered. They become of concern to the College when one person in a relationship is in a position of authority over another. Examples of these situations include but are not limited to relationships between instructors and students, supervisors and employees or administrators and students.

Consensual relationships of these types are prohibited. These relationships can violate the trust between instructors and students, administrators and students or supervisors and employees. Most critically, they contain inherent potential for abuse of power and authority. Anyone who engages in a sexual relationship with a person over whom he or she has any degree of authority must understand that the degree to which such a relationship is truly mutually consensual may be questioned at any time. Even when both parties have apparently consented at the outset, such consent does not invalidate a subsequent charge of sexual misconduct after one party withdraws his or her consent and communicates that decision to the other party.

Types of Sexual Misconduct

Examples of sexual misconduct may include, but are not limited to the following examples of unwelcome acts:

Verbal: Insults, threats, jokes or derogatory comments based on gender; sexual innuendo or suggestive comments; sexual propositions or advances; pressure for sexual favors; corruption of a minor; importuning or public indecency

Nonverbal: Posting of sexually suggestive or derogatory pictures, cartoons or drawings; making suggestive or insulting noises, leering, or whistling; making obscene gestures; corruption of a minor; importuning; voyeurism or public indecency

Physical: Touching, pinching, squeezing, patting or brushing against the body; impeding or blocking normal work or movement; coercing sexual intercourse or assault, rape or sexual battery; sodomy or assault with an

object; corruption of a minor; importuning; public indecency; felonious penetration including oral penetration, penetration with a body part, or penetration an object not matter how slight; or prostitution

Sexual Abuse/Sexual Assault/Rape: Any sexual act between any persons is sexual abuse by either party when the act is performed with the other participant in any of the following circumstances:

- The act is done by force or against the will of the other, including but not limited to rape or attempted rape
- If the consent or acquaintance of the other is procured by threats of violence toward any person
- If the act is done while the other is under the influence of a drug-induced sleep or is otherwise unconscious
- When the victim is incapable of giving consent because he or she suffers from a mental defect or incapacity
- When the victim lacks the mental capacity to know the right and wrong of conduct in sexual matters
- When the other person is a child

Please note that this includes non-consensual sexual intercourse (rape), non-consensual sexual contact (sexual assault) and sexual exploration). The college defines rape as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration of a sex organ of another person without their consent. This includes the touching of an unwilling person's intimate parts (defined as genital, groin, breast, buttocks, or the clothing covering these areas or forcing an unwilling person to touch another's intimate parts.

Sexual Exploitation: Sexual exploitation is taking sexual advantage of another person without consent for one's own advantage or benefit or for the advantage or benefit of anyone other than the person being exploited, or engaging in sexual intimidation. Examples of sexual exploitation may include but are not limited to the following:

- Causing or attempting to cause the incapacitation of another person in order to gain a sexual advantage over such other person
- Causing the prostitution of another person
- Electronically recording, photographing or transmitting identifiable utterances, sounds, or images of private sexual activity and/or the intimate body parts (including genitalia, groin, breast, or buttocks)
- Allowing third parties to observe private sexual acts of a participant without the participant's consent
- Voyeurism (spying on others who are in intimate or sexual situations)
- Threatening to sexually assault another person
- Stalking, including cyber-stalking
- Engaging in indecent exposure

Sexual Harassment: Sexual Harassment includes, but is not limited to unwelcome sexual advances; requests for sexual favors; sexually motivated physical contact or other verbal, non-verbal or physical conduct or communication of a sexual nature when:

- Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment or education; or
- Submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or

- That conduct or communication has the purpose or effect of substantially interfering with an individual's employment or education, or of creating an intimidating, hostile or offensive employment or educational environment.

Dating Violence: Dating Violence is defined as the intentional use of physical, sexual, verbal, or emotional abuse by a person to threaten, harm, intimidate, or control another person in a dating relationship. Violent behavior is unacceptable in our community, and all cases involving violence will be referred to the College Hearing Board for review. The College Hearing Board hears cases where the outcome may include suspension or expulsion.

Domestic Violence: Domestic violence is defined as felony or misdemeanor behavior with a current or former spouse, domestic or intimate partner, someone who shares custody of a child, someone who cohabitates, or someone who is situated as a spouse. (Please note: roommates are not considered a domestic relationship unless they are involved in a relationship defined as domestic above). Violent behavior is unacceptable in our community, and all cases involving violence will be referred to the College Hearing Board for review. The College Hearing Board hears cases where the outcome may include suspension or expulsion.

Stalking: Loras College is determined to provide a campus atmosphere free of violence for all members of the campus community. For this reason, Loras College does not tolerate stalking, and will hold students who engage in stalking behaviors accountable through the college's judicial system and will report students who engage in stalking behaviors to the local authorities. Loras College is also committed to supporting victims of stalking through available campus counseling and health services, and can assist with referrals to community-support services. This policy applies to all members of our campus community. The College defines stalking as a course of conduct directed at a specific person that would cause a reasonable person to feel fear/significant emotional distress. Stalking behaviors may include but are not limited to:

- Non-consensual communication including in-person communication, telephone calls, voice messages, text messages, email, social networking site postings, instant messages, postings of pictures or information on websites, written letters, gifts or any other communications that are undesired and/or place another person in fear
- Following, pursuing, waiting or showing up uninvited at a workplace, place of residence, classroom or other locations frequented by a victim
- Surveillance and other types of observation, whether by physical proximity or electronic means
- Trespassing
- Vandalism
- Non-consensual touching
- Direct physical and/or verbal threats against a victim or a victim's loved ones
- Gathering of information about a victim from family, friends, co-workers and/or classmates
- Manipulative and/or controlling behaviors such as threats to harm oneself or threats to harm someone close to the victim Defamation or slander against the victim

Victims of stalking have the right to learn the outcome of their case, including any recommended sanctions.

Applicable State Statutes - State of Iowa Statutes Regarding Consent

The State of Iowa defines incapacitation as meaning a person is disabled or deprived of ability as follows:

- "Mentally incapacitated" means that a person is temporarily incapable of apprising or controlling the person's own conduct due to the influence of a narcotic, anesthetic or intoxicating substance

- “Physically helpless” means that a person is unable to communicate an unwillingness to act because the person is unconscious, asleep or is otherwise physically or mentally limited
- “Physically incapacitated” means that a person has a bodily impairment or handicap that substantially limits the person’s ability to resist or flee

State of Iowa Definitions of Sexual Misconduct

The State of Iowa and Loras College use the following sexual abuse definition. Sexual abuse is considered a felony as defined in Section 709 of the Iowa State Code. Sexual assault is considered first-degree sexual abuse under Iowa law. Sexual assault is defined as forced penetration of the vagina, anus or mouth with a finger, penis or any other object. Although the term “rape” is used in this policy and in other educational material, the Iowa legal system uses the umbrella term of sexual abuse and sexual assault, and not the specific term “rape,” when cases are taken to court. Sexual assaults occur on a broad continuum and include—criminal behaviors endangering another/other persons. They range from verbal assaults to rape. Loras College takes a very strong stance against acts of violence by a member of our community. Students found responsible of sexual assault can expect strong disciplinary actions by the College. Any community member with knowledge of any incidents of sexual assault should report the incident to Campus Safety, the Dubuque Police Department and the College’s Title IX Coordinator. It is recommended and encouraged that survivors seek confidential counseling.

A student who reports a violation of the sexual misconduct policy is entitled to:

- To be treated with respect by college officials
- To be made aware of available options
- To choose whether or not to report your complaint to the police
- To be free from any pressure
- To not be prejudged or blamed for what occurred
- To take advantage of campus support resources
- To speak to a male or female staff member about the incident
- To experience living in a safe and educational environment
- To be made aware of options regarding support resources, remedial actions, timeframe to file a complaint and resolution options
- To have an advocate present during disciplinary hearings
- To have College officials answer questions and explain the systems and processes involved
- To be informed on the progress of the investigation of the case, including the right to prompt, fair, and impartial discipline proceedings, the right to learn the outcome of the case, and the right to appeal that outcome
- To have irrelevant prior sexual history disallowed during campus disciplinary proceedings
- To be free from retaliation
- To receive information on the College’s responsibilities regarding judicial no-contact, restraining and protective orders

The use of alcohol or other drugs by either party is not an extenuating circumstance and does not mitigate the responsibility of a person found to have committed sex discrimination. False accusations of sex discrimination

can injure innocent people. Initiating a false harassment complaint or initiating a harassment complaint in bad faith may result in disciplinary action. A finding for the accused does not constitute a finding that the complaint was in bad faith.

Requesting Accommodations under Title IX Law

Any victim of sexual misconduct may choose to request academic, housing, or other reasonable accommodations to eliminate a hostile environment. An individual may choose to request accommodations whether or not he/she chooses to pursue the sexual misconduct case through the college conduct system or in a court of law. The following areas can assist with accommodations requests:

- Dean of Students Office, 563.588.7959, 540 Alumni Campus Center
- Title IX Coordinator 563.588.7029, 401 Hennessy Hall
- Dean of Students Office, 563.588.7959, 540 Alumni Campus Center

Limited Amnesty

While Loras does not condone underage drinking or violation of other College policies, it considers reporting Title IX Offenses to be of paramount importance. To encourage reporting and adjudication of Title IX Offenses, Loras College extends limited amnesty to students who have been victims/survivors of a Title IX Offense. The College will generally not seek to hold the student responsible for a violation of the alcohol and drug policy during the period immediately surrounding the offense.

Retaliation Policy

Retaliation against anyone reporting or thought to have reported sexual misconduct or who is a witness or otherwise is involved in a sexual misconduct proceeding is prohibited. Such retaliation is a serious violation of the policy and will be investigated as an independent act of sex discrimination. Encouraging others to retaliate also violates this policy.

Disciplinary Actions and Sanctions

The College Hearing Board will hear issues of student sexual misconduct. The composition of the board is described in the COLLEGE HEARING BOARD section of this document, and will receive training specific to hearing cases of alleged sexual misconduct.

Any student who is found responsible for sexual misconduct will be disciplined up to and/or including expulsion. All students have a right to campus access free of sexual or physical intimidation, including campus housing. A person accused of sexual misconduct while residing in College housing may be asked to leave College housing pending investigation of the complaint. Similarly, survivors of sexual misconduct may request changes in both their academic and housing situations.

The standard of evidence used by the College Hearing Board is preponderance of evidence standard of proof. This means that the College resolves complaints based on what they believe is more likely than not have happened. A complete description of the disciplinary procedures and policies of Loras College can be found in the Policies and Procedures section of the Loras College Student Handbook.

Information for Victims of Sexual Misconduct

Reporting Alleged Violations of Sexual Misconduct

Anyone who believes he or she has been the subject of, has been notified about or has observed sexual misconduct as defined by this policy, should report the alleged conduct. To report an incident of sexual misconduct, an individual may:

- Contact the Title IX Coordinator, who at Loras College is Nancy Fett. She can be reached at her office, Hennessy Hall 401, or via phone at 563.588.7029. In the role of Title IX coordinator, she will coordinate all matters related to sexual misconduct at the College and will coordinate the efforts of the college to comply with Title IX Law. As the Title IX Coordinator, she is responsible for:
 - Ensuring both the complainant and respondent are aware of the seriousness of the complaint
 - Explaining Loras College's sexual misconduct policy and procedures
 - Exploring various means of resolving the complaint
 - Making referrals to the Counseling Center or other resources if appropriate
 - Discuss with the complainant the option of notifying police if criminal activity was reported
 - Conduct or arrange an investigation of the prohibited conduct
 - Preparing or overseeing any reports, recommendations, or remedial actions that are needed or warranted to resolve any prohibited conduct
 - Assess each complaint individually
- Contact a resident advisor (RA), area coordinator (AC), security officer (563.588.7100 or 0 from a campus phone), or the Title IX Coordinator, who can assist you in reporting the incident, or file a report online at https://loras-advocate.symplicity.com/public_report/. Survivors may have the right to choose to remain anonymous or keep a report confidential when reporting an incident, if the report is made to a counselor, as described below. Reports made to other Responsible Employees of Loras will be reported to school officials in accordance with our Title IX obligations.
- Contact the Loras College Counseling Center or Health Center to receive assistance and access to counseling resources from a trained advocate. **Please note:** Sexual misconduct reports made to the Counseling Center or Health Center will be kept strictly confidential unless the student releases information to other authorities.
- Contact law enforcement authorities by calling the Dubuque Police Department if the assault occurred within the City of Dubuque. If the assault occurred in another area of Dubuque County, call the Dubuque County Sheriff's Department. Both Departments can be reached by dialing 911. Loras College officials will assist the survivor with reporting an assault if you request assistance.

Advocacy and Counseling Resources

Any survivor of a sexual assault has a right to counseling referral from the Loras College Counseling Center and to receive assistance from a trained advocate. The following counseling resources are available to students, faculty and staff who have been assaulted:

Loras College Counseling Center
 Alumni Campus Center Room 473
 Dubuque, IA 52001
 563.588.7085
 563.588.7100 (Emergency)

Rape Victim Advocacy Program
(800) 284-7821 (State Wide Hot Line)

Title IX Coordinator
563.588.7029

Riverview Center, Inc. Sexual Assault Prevention and Intervention Services
2600 Dodge St.
Advocacy and Counseling Resources
Dubuque, IA 52003
563.557.0310

Catholic Charities
1229 Mt. Loretta
Dubuque, IA 52003
563.588.0558

Crisis Line
563.588.4016

YMCA Domestic Violence Program 35 N. Booth
Dubuque, IA 52001
563.556.1100

Residence Life Policies and Procedures

Residency Requirement

Studies have shown that residence hall living has positive effects on the attainment of a bachelor's degree, satisfaction with faculty and willingness to re-enroll at the same college because of positive experiences. Students who live on campus also often join social organizations and participate in student government opportunities. In addition, students who live on campus are more likely to have higher GPAs than those who do not. Because most research supports that living on campus truly enhances the student learning experience, Loras College identifies itself as a residential campus—a campus that takes great care in providing intentional out-of-classroom learning experiences for our students.

Based on the college's residential identity, students with less than 80 credits or who are under the age of 21 by the first day of classes of the fall semester, who do not reside with parents, legal guardians, a spouse or children in the City of Dubuque or nearby, are required to live in College-owned housing. Students are not permitted to move off campus after they have taken up residence, unless authorized in writing by the Assistant Dean of Students.

Permission will be granted only in extraordinary cases.

Full-time first-year, sophomores and juniors who fail to take up residence on campus or who move off campus during the semester without prior written approval from the Assistant Dean of Students may be called to appear before the Dean of Students/Housing Board and may be charged for a room. The College Housing Board will have the authority to cancel the registration of a student who has failed to fulfill his/her residence requirement. Should the College Housing Board decide that the registration of the student should be cancelled, the Dean of Students will so notify the student and the Registrar in writing.

From: Rachael N. Swift <Rachael.Swift@loras.edu>
Sent: Thursday, September 17, 2020 2:47 PM
To: Molly A. Burrows Schumacher (staff)
Subject: RE: your request

Hello Molly,

I have received your emails. I wanted to keep you in the loop. I'm trying to set up an in-person with Nancy Fett for some time tomorrow. Thank you for finally reaching out and updating me.

Thanks,
Rachael Swift

From: Molly A. Burrows Schumacher (staff) <Molly.BurrowsSchumacher@loras.edu>
Sent: Wednesday, September 16, 2020 6:40 PM
To: Rachael N. Swift <Rachael.Swift@loras.edu>
Subject: your request

Hello Rachael,

Nancy Zachar Fett, the college's Title IX coordinator, was in contact with me today and asked that I reach out to you to see if you would like to talk with/meet with a Title IX investigator on campus to discuss a recently filed report. Right now, the college has three trained Title IX investigators for student cases and they are myself, Matthew Saylor (Campus Safety, and Katie Keleher-Garfoot [Residence Life). Matt and Katie would both be able to meet in person with you to discuss the process; I am available by zoom only at this time for medical reasons but am happy to assist in any way I can. I'm not sure if you have a preference, but if I can assist in setting up an appointment with any of the investigators, please do let me know. I'm attaching a resource that provides additional information about the college's sexual misconduct policy – it outlines additional information about college policy, the processes available on or off campus, and local resources that might be helpful for you at this time. Please let me know if you have any questions or if I can be of service at this time or provide any support at this time.

Thank you,

Molly

Molly Burrows Schumacher
Assistant Dean of Students
LORAS COLLEGE
1450 Alta Vista St
Dubuque, IA 52001
molly.burrowsschumacher@loras.edu
BE MORE. BE LORAS.

EE

I want to apologize for the late response. I have been off campus since yesterday and then had to move to a hotel yesterday afternoon. Can we meet tomorrow in-person to talk about the details in regards to my Title IX claim.

Thank you,
Rachael Swift

From: Nancy Z. Fett <Nancy.Fett@loras.edu>
Sent: Tuesday, September 15, 2020 7:09 PM
To: Rachael N. Swift <Rachael.Swift@loras.edu>
Subject: phone call

Thank you for your phone call. I have not been in my office all week and so I am not sure when you left the message.

Thank you for having the courage to advocate for yourself in this personal matter. I only wish more women did.

You will likely be contacted by one of two people: Matt Saylor in security or Molly Burrows Schumacher in Student Life. They will conduct the investigation, ask you for your side of the story, if there are witnesses, etc. They will also contact the alleged perpetrator to discuss the matter.

My role is to assure the process is followed, monitor the report, ask questions and suggest alternative approaches/questions/theories and assure the matter is handled professionally, according to our policy, and with utter fairness.

If you feel like you are not being heard, please contact me. It is important to me (and the College) that anyone who comes forward is supported and listened to. Let me know if you have any questions. NZF

https://issuu.com/lorasduhawks/docs/studenthandbook_845b4473c6d53f
See page 30-31 to read more about the Hearing Board.

Nancy Zachar Fett, LMSW
Assoc. Professor of Social Work
Field Director
1450 Alta Vista, MS #221
Dubuque, IA 52001
563-588-7029, Fax. 563-588-7005

Pronouns: She/Her

touching base

Molly A. Burrows Schumacher (staff) <Molly.BurrowsSchumacher@loras.edu>

Tue 9/15/2020 9:32 PM

To: Rachael N. Swift <Rachael.Swift@loras.edu>

Hello Rachael,

Your recent report was routed to me today for review. I apologize if you felt you did not receive a response to your requests. If you could let me know who you reached out to, I will follow up to see what additional information is available, but wanted to provide what updates I am aware of at this time.

Since the incident, Campus Safety has increased rounds on the interior and exterior of the facility as well as the surrounding grounds. Part of those rounds includes checking common areas and corridors for those who do not live in the building, un-propping propped doors if they are propped, and monitoring the areas behind the building as well. While helpful in the pursuit of campus safety, this increased surveillance has not provided any additional information regarding your case.

We have been able to contact those who fobbed into the building shortly before the incident occurred – including a student who lived in an apartment near yours, who fobbed in around the time the incident occurred. He indicated he did not see anything unusual or encounter any other students while moving from the entrance to his apartment. Our other fob accesses (based on access time) are less likely to have information, but we will be following these leads as well. I noticed in your report you contacted the Dubuque police about what occurred – did they offer you a case number you are willing to share with the college? While we provide campus safety officers on campus, we are not a police force – so when there is a corresponding police report, we like to contact the local officer connected with the case to provide what information we do have since local PD has additional avenues they can explore as sworn law enforcement officers.

I am aware you requested a deadbolt be added to your door at Byrne Oaks, and I saw today that the Physical Plant indicated they would not be able to honor that request. Please know that we are resubmitting the request. I can't promise it will change the answer, but we are advocating to do what will make you feel most comfortable in your space. I'm also aware you/your family has requested blue light poles on campus. I am gathering current pricing for these poles to see what options might be available, and will submit that information for review. If you would like to provide a letter of support about this request, or have a specific idea in mind of where you would like to see a blue light that will best benefit students, please let me know and I will include this information in the request.

Additionally, I have submitted a request to have a surveillance camera installed at the access point at Byrne Oaks. The camera would be motion activated and would record when movement is in the vicinity, allowing us to further track who is entering and exiting the building. IT is currently checking to see if we have the capability of supporting a camera in this area. We will keep you posted on these projects as additional information becomes available. While this is not an exhaustive list of what is occurring, I want to assure you that the college is taking your concerns seriously.

In your report, you also mentioned that you have been subjected to a sexual assault. I am so very sorry to hear this, and want to provide any support I can to be of help to you. Your story is yours to share in your own time as you are comfortable, but if there are supports you need on campus, or if you would like to discuss the process on or off campus for filing a report of sexual assault, I'm willing to assist in any way I can that meets your needs. There is a campus resource packet I can share with you that might be helpful in explaining local resources, accommodations, and how cases move forward on and off campus. If you are interested in this resource, please let me know and I will send it to you via email.

Please let me know if you have any additional questions.

Troy M. Wright

From: Troy M. Wright
Sent: Tuesday, February 9, 2021 4:34 PM
To: Rachael N. Swift
Subject: Investigation Regarding the Discrimination Claim Filed on September 14, 2020
Attachments: Rachael.docx

Importance: High

Dear Rachael,

First and foremost, I am deeply sorry that this incident happened to you on our campus. I cannot imagine how scared that must have made you. It is my sincere hope that you are finding comfort again.

I will be conducting the investigation related to the discrimination claim that you filed with the College on September 14, 2020. I would greatly appreciate it if you could answer the questions on the attached and return to me at your earliest convenience so that I can use this additional information during my investigation.

Please do not hesitate to reach out to me should you have any questions or concerns regarding this process.

Sincerely,

Troy

Troy M. Wright SHRM-SCP, MBA '15
Director of Human Resources
LORAS COLLEGE
1450 Alta Vista St
Dubuque, IA 52001
563.588.7816 - P
563.588.7101 - F
troy.wright@loras.edu
BE MORE. BE LORAS.

Molly A. Burrows Schumacher (staff)

From: Molly A. Burrows Schumacher (staff)
Sent: Thursday, September 17, 2020 3:16 PM
To: Rachael N. Swift
Subject: RE: your request

I'm glad to see your reply, and I'm glad to hear you are connecting with Nancy. Please know I'm here if you need anything.

I can share the following additional updates today –

Technology has indicated we should be able to install the camera at Byrne Oaks, and are in the process of testing the unit now. I'm still waiting for price estimates back on the blue lights, but will keep you posted. And – maintenance has contacted a locksmith to see the best way to install a deadbolt on the apartment at Byrne Oaks. I'm not sure I fully understand the challenges, but it has to do with installing the lock in a way that maintains the required fire rating on the door. The locksmith indicated this morning he would be in touch soon with an update.

I'll share more as I know more. Thanks -

Molly

Molly Burrows Schumacher

Assistant Dean of Students

LORAS COLLEGE

1450 Alta Vista St

Dubuque, IA 52001

molly.burrowsschumacher@loras.edu

BE MORE BE LORAS

From: Rachael N. Swift <Rachael.Swift@loras.edu>
Sent: Thursday, September 17, 2020 2:47 PM
To: Molly A. Burrows Schumacher (staff) <Molly.BurrowsSchumacher@loras.edu>
Subject: RE: your request

Hello Molly,

I have received your emails. I wanted to keep you in the loop. I'm trying to set up an in-person with Nancy Fett for some time tomorrow. Thank you for finally reaching out and updating me.

Thanks,
 Rachael Swift

From: Molly A. Burrows Schumacher (staff) <Molly.BurrowsSchumacher@loras.edu>
Sent: Wednesday, September 16, 2020 6:40 PM
To: Rachael N. Swift <Rachael.Swift@loras.edu>
Subject: your request

Hello Rachael,

Molly A. Burrows Schumacher (staff)

From: Katie Keleher-Garfoot
Sent: Tuesday, December 29, 2020 10:24 AM
To: Molly A. Burrows Schumacher (staff)
Subject: FW: Updates

Kiki took the door alarms and window blockers there – she said they were all fine with her. I don't know if Rachael has ever returned, but she didn't move completely out or return keys, so we've kept her in the system.

From: Rachael N. Swift <Rachael.Swift@loras.edu>
Sent: Thursday, September 17, 2020 2:38 PM
To: Katie Keleher-Garfoot <Katie.Keleher-Garfoot@loras.edu>
Subject: RE: Updates

Hello Katie,

I have been at home since Friday. I came back Wednesday to finish the week in soccer. I'm staying in a hotel because I didn't feel comfortable in the apartment. The other 5 girls in the apartment are also scared and sleep in the same room some nights. I will be returning home for the unforeseen future because I couldn't and didn't feel safe in the apartment without the safety measure that were asked for. I'm not on campus and would prefer if some can and installed the door alarms and window blockers in the apartment. We need 2 door alarms and 9 window blockers.

Thank you,

Rachael Swift

From: Katie Keleher-Garfoot <Katie.Keleher-Garfoot@loras.edu>
Sent: Tuesday, September 15, 2020 12:08 PM
To: Rachael N. Swift <Rachael.Swift@loras.edu>
Cc: Molly A. Burrows Schumacher (staff) <Molly.BurrowsSchumacher@loras.edu>; John R. McDermott <John.McDermott@loras.edu>
Subject: Updates

Hi Rachael,

I just got the bars for the windows and door alarms in the mail this morning! So those are ready – would you like me to leave them at the Information Desk for you, or would you like assistance in putting them up? I can ask one of your CAs to bring them by if you'd like assistance, just let me know! How many door alarms would you like? Just one for the front door or one for any of the bedrooms as well?

You had asked about the deadbolt on the front door. I was told it would not be possible per the Physical Plant. If you have more questions, I've CC'd John McDermott on this message – he may be able to answer any additional questions you have about that.

For requesting a copy of the report, you can request it officially via email – so you can reply to this message with the request and we can provide the copy.

Molly A. Burrows Schumacher (staff)

From: Nancy Z. Fett
Sent: Wednesday, December 9, 2020 7:55 PM
To: Molly A. Burrows Schumacher (staff)
Subject: FW: phone call

Fyi. Im not familiar with this case. We tried to talk several times and she never followed through. I will tell her I've forwarded info to you. NZF

Sent from my U.S. Cellular® Smartphone

----- Original message -----

From: "Rachael N. Swift" <Rachael.Swift@loras.edu>
Date: 12/9/20 7:40 PM (GMT-06:00)
To: "Nancy Z. Fett" <Nancy.Fett@loras.edu>
Subject: RE: phone call

Hello Nancy Fett,

This is Rachael Swift I wanted to amend my Tittle IX claim. I want to add Kyle Hall as part of the claim.

Thank you,
Rachael Swift

From: Nancy Z. Fett <Nancy.Fett@loras.edu>
Sent: Tuesday, September 29, 2020 7:08 AM
To: Rachael N. Swift <Rachael.Swift@loras.edu>
Subject: RE: phone call

I am free tomorrow (Wed) morning—8-10am, and then in the afternoon 1-3:30. Do any of those times work? NZF

Nancy Zachar Fett, LMSW
Assoc. Professor/Field Director
Loras Social Work Program
563-588-7029, Fax. 563-588-7005

From: Rachael N. Swift
Sent: Thursday, September 24, 2020 11:25 AM
To: Nancy Z. Fett <Nancy.Fett@loras.edu>
Subject: RE: phone call

Hell Nancy,

Sorry for the late response. I have moved home indefinitely. I've been trying to adjust to being home and balancing school work. Can we still talk over the phone? I would really like to talk about how the whole situation was handled and why I filed the claim. What times work best for you? Once again, sorry for the late response \

Thank you,
Rachael Swift

From: Nancy Z. Fett <Nancy.Fett@loras.edu>
Sent: Thursday, September 17, 2020 3:00 PM
To: Rachael N. Swift <Rachael.Swift@loras.edu>
Cc: Molly A. Burrows Schumacher (staff) <Molly.BurrowsSchumacher@loras.edu>
Subject: Re: phone call

Tomorrow is ridiculously busy but Monday anytime after my class. 10, 11:30-3pm. Let me know what works and where suits you. NZf

Nancy Zachar Fett
Sent from my iPad

On Sep 17, 2020, at 2:43 PM, Rachael N. Swift <Rachael.Swift@loras.edu> wrote:

Hello Nancy,

I want to apologize for the late response. I have been off campus since yesterday and then had to move to a hotel yesterday afternoon. Can we meet tomorrow in-person to talk about the details in regards to my Title IX claim.

Thank you,
Rachael Swift

From: Nancy Z. Fett <Nancy.Fett@loras.edu>
Sent: Tuesday, September 15, 2020 7:09 PM
To: Rachael N. Swift <Rachael.Swift@loras.edu>
Subject: phone call

Thank you for your phone call. I have not been in my office all week and so I am not sure when you left the message.
Thank you for having the courage to advocate for yourself in this personal matter. I only wish more women did.
You will likely be contacted by one of two people: Matt Saylor in security or Molly Burrows Schumacher in Student Life. They will conduct the investigation, ask you for your side of the story, if there are witnesses, etc. They will also contact the alleged perpetrator to discuss the matter.

My role is to assure the process is followed, monitor the report, ask questions and suggest alternative approaches/questions/theories and assure the matter is handled professionally, according to our policy, and with utter fairness.

If you feel like you are not being heard, please contact me. It is important to me (and the College) that anyone who comes forward is supported and listened to. Let me know if you have any questions. NZF



Monday, January 18, 2021 | 9:32 am
User: Molly Burrows Schumacher, Staff

Incident Report Information

IR#

00229-2020

Reported On

December 7, 2020 10:32 AM

Reported By

Molly Burrows Schumacher

Incident Type

Code of Conduct Violation

Reporter's Email

molly.burrowsschumacher@loras.edu

Time and Location of Incident

Date/Time of Incident

December 5, 2020 2:03 am

Location of Incident

Campus Housing/Byrne Oaks

Additional Location Information

Apartment 301

Parties Involved

Students Involved

Hall, Kyle (Byrne Oaks - 103D) (0532873)

Victims/Complainants

Gleason, Marianne (0552841)

Brownson, Allison (0552528)

Kluesner, Jena (0551976)

Vincent, Faith (0551941)

Haslow, Madison (0552353)

Keller, Danielle (0495591)

Descriptive Information

Incident Description

Molly Burrows Schumacher received the following communications from Marianne Gleason

From: Marianne E. Gleason

Sent: Saturday, December 5, 2020 11:46 AM

To: Molly A. Burrows Schumacher (staff)

Cc: Allison M. Brownson ; Madison K. Haslow ; Faith Vincent ; Jena A. Kluesner ; Danielle C. Keller

Subject: Apartment Break-In

Hi Molly!!

My name is Marianne Gleason and I am a sophomore at Loras College. I am contacting you because I was told to after our apartment got broken into last night. Nothing was taken because we put a security camera up after we had noticed food going missing and the person who broke in noticed the camera.

I have attached the footage in this email. The student is Kyle Hall, another resident in our building. We are not sure what to do from

LORAS 0638

here which is why we were told to contact you. Please get back to us soon.

Thank you,

Marianne Gleason

From: Marianne E. Gleason

Sent: Saturday, December 5, 2020 12:20 PM

To: Molly A. Burrows Schumacher (staff)

Cc: Allison M. Brownson ; Madison K. Haslow ; Faith Vincent ; Jena A. Kluesner ; Danielle C. Keller

Subject: Re: Apartment Break-In

The door was unlocked last night and previous times it had been locked but the door was not shut all the way so it was slightly open.

The things taken were trivial. Just food and energy drinks so we don't have exact dates for that as at the time we thought it was each other taking the items.

There was an incident a couple weeks ago when we had a friend visiting who witnessed him looking around our door and peeking in but she didn't know who it was and the camera didn't activate so we didn't have enough information to bring it forward. We think now that it was the same person as she described him as having short hair and glasses.

We are unsure about pressing charges due to legal fees and not knowing how to navigate through the situation, as well as the fact that nothing was taken and it was just breaking and entering.

Thank you,

Marianne Gleason

Faith Vincent from the apartment also contacted Campus Safety. Officer Mark Sutter responded, and with Aidan Wojciehowski met with the women of the apartment and local law enforcement. At that time, law enforcement contacted Kyle Hall, and per Officer Sutter, Hall admitted to entering "a few" Byrne Oaks apartments.

Officer Sutter delivered a letter to Hall drafted by Burrows Schumacher indicating that Hall needed to leave campus "immediately" by 5:00 p.m. that day, and if he could not take his belongings with him, he could schedule a time to return to campus and be escorted to retrieve the rest of his belongings. The letter further indicated that Hall is not otherwise permitted on campus at this time, and that should he come to campus, he may face involuntary suspension and/or referral to law enforcement. Hall left campus, and will be in touch to schedule a time to return for the remainder of his belongings.

Video footage of Hall accessing Apartment 301 from their interior surveillance camera is attached to this report. The video was taken at approximately 2:03 a.m. Fob access records show Hall accessing the building last at the west entrance at 1:28 a.m.

This incident is being investigated along with 3 other apartment entry incidents that have been similarly described by those impacted and 2 pulled fire alarm incidents in the west tower. In these additional incidents, the subject has been described as male, darker hair, approximately 5'8, and in a previous instance at apartment 301, with glasses. Hall, per college records is approximately 5'7, with darker hair and does wear glasses.

Status

Processing

Additional Information

EMS Called

No

Area Coordinator Called

Yes

Police Called

Yes

Police Report #

Officer Sutter put Case # and Law Enforcement Contact on Matt Saylor's Desk

Physical Plant Contacted

No

Alcohol Involved

No

LORAS 0639

Administrative Action

Appealed
No



LORAS 0640



LORAS COLLEGE™

1450 Alta Vista Dubuque, IA 563.588.7100 www.loras.edu

December 5, 2020

Kyle Hall
103 Byrne Oaks
Loras College
1450 Alta Vista St
Dubuque, IA 52001

Dear Kyle,

Due to a report received by Campus Safety today, December 5, 2020, and video footage received allegedly showing you entering apartment 301 Byrne Oaks without permission, you are asked to depart campus immediately (no later than 5:00 p.m. today, December 5, 2020) and finish your semester via remote learning. If you are unable to remove all of your belongings prior to departure, you may schedule an appointment with Campus Safety to return to remove the remainder of your belongings at a later time. Campus Safety can be reached at 563.588.7100 to schedule a time to escort you to the building.

This letter also serves to notify you that you are not permitted to be present on campus without express permission from Campus Safety while this matter is being further investigated. If you should be observed or be reported to have violated this restriction, the college may take judicial action, including involuntary suspension, and/or contact law enforcement to have you removed from the premises.

If you have any questions or concerns regarding this matter, please feel free to contact me at Molly.BurrowsSchumacher@loras.edu. Know that myself and/or Matthew Saylor will be in touch with you on Monday via email or phone to set up a time to meet via zoom to discuss this report with you.

Best regards,

Molly Burrows Schumacher
Assistant Dean of Students
Loras College
Dubuque, IA 52001

cc: Art Sunleaf, Vice President for Student Development/Dean of Students
Matthew Saylor, Assistant Director of Campus Safety
Aiden Wojciehowski, Area Coordinator for Byrne Oaks
Student File

LORAS 0668

had entered at least another apartment at Byrne oaks but indicated that these issues were on accident. He noted that he had lived in the building for several years in different apartments and was confused. It should be noted that at this time Hall lived on the 1st floor.

December 7, 2020

- Molly Burrows Schumacher added Kyle Hall as a possible suspect for the case involving Rachael Swift's apartment break in based on his involvement in another incident in Byrne Oaks.

December 8, 2020

- After consultation with Art Sunleaf, Molly Burrows Schumacher notified Rachael Swift via email that a suspect had been identified in her case. No name was shared in this communication due to FERPA. She wrote on December 8, 2020, at 11:13 a.m.:

I'm reaching out today to let you know that this past Sunday, a suspect was caught on camera entering an apartment at Byrne Oaks. Law enforcement was notified, and in that process, the suspect (a Loras student) admitted to entering at least 2 apartments over the course of the semester. This individual has been removed from campus and is not permitted to return. The College will be working with law enforcement and providing information about the break-in at your campus apartment to be considered as they continue to investigate this case. Additionally your information will be included in our on campus investigation process so that the individual can be held accountable both on and off campus.

We've reached out to the police officer who is working with the case to find the best way for you to connect if you would like to talk further with law enforcement about the incident in your apartment. Once we receive a reply, we will relay this information to you. For the on-campus investigation, you can report any additional information to either Matthew Saylor or myself to be included in the college's process. We will continue to provide updates for you as additional information becomes available and the process moves forward.

Thank you for your patience as we investigated these incidents, and please do not hesitate to reach out if you have any questions. I've contacted you directly as the filed reports name you as the reporting student. If you would like me to also notify the women you were living with in apartment 101 at the time of the incident, please do let me know and I will do so.

December 9, 2020

- Rachael Swift contacted Nancy Fett via email on December 9, 2020 at 7:40 p.m. indicating:

This is Rachael Swift. I wanted to amend my Title IX claim. I want to add Kyle Hall as part of the claim.

Fett contacted Molly Burrows Schumacher on December 9, 2020, at 7:55 p.m. indicating she was not familiar with Swift's case – that they had tried to talk several times and Swift never followed through.

December 17, 2020

- On December 17, 2020, at 1:59 p.m., Matt Saylor shared with Molly Burrows Schumacher and Art Sunleaf via email that he had received a call from Dubuque Police, and they stated that the TH contacted them about the incident from Byrne Oaks. What he stated made it sound like this was started by Rachael Swift. PD shared that we were working together on the incident and Saylor provided an update at that time for PD. PD believes that the TH may try contacting us about the incident as well, and wanted to make sure we were aware.

Sunleaf notified Marketing department members Bobbi Earles and Robert Waterbury, ccing Jim Collins in an email on December 17 at 2:09 p.m. indicating that should the TH contact us, due to FERPA, we are unable to comment other than we are aware of the incident and working with local law enforcement.

- On December 17, 2020, at 3:08 p.m., Nancy Fett received an email from Bradley Levison, attorney for Rachael Swift, with Swift cc'd on the message indicating the following:

LORAS 0715

Molly A. Burrows Schumacher (staff)

From: Molly A. Burrows Schumacher (staff)
Sent: Tuesday, December 8, 2020 11:13 AM
To: Rachael N. Swift
Subject: following up on your previous report

Hello Rachael,

I'm reaching out today to let you know that this past Sunday, a suspect was caught on camera entering an apartment at Byrne Oaks. Law enforcement was notified, and in that process, the suspect (a Loras student), admitted to entering at least 2 apartments over the course of this semester. This individual has been removed from campus and is not permitted to return. The College will be working with law enforcement and providing information about the break-in at your campus apartment to be considered as they continue to investigate this case. Additionally, your information will be included in our on-campus investigation process so that the individual can be held accountable both on campus and off.

We've reached out to the police officer who is working with the case to find the best way for you to connect if you would like to talk further with law enforcement about the incident at your apartment. Once we receive a reply, we will relay this information to you. For the on-campus investigation, you can report any additional information to either Matthew Saylor or myself to be included in the College's process. We will continue to provide updates for you as additional information becomes available and the process moves forward.

Thank you for your patience as we investigated these incidents, and please do not hesitate to reach out if you have any questions. I've contacted you directly as the filed reports name you as the reporting student. If you would like me to also notify the women you were living with in apartment 101 at the time of the incident, please do let me know and I will do so.

Thank you,

Molly

Molly Burrows Schumacher
Assistant Dean of Students
LORAS COLLEGE
1450 Alta Vista St
Dubuque, IA 52001
molly.burrowsschumacher@loras.edu
BE MORE. BE LORAS.

KK

Dr. A.W. Sunleaf
Vice President for Student Development/Dean of Students
Loras College
Dubuque, IA 52001
#LorasTogether

From: Matthew E. Saylor <Matthew.Saylor@loras.edu>
Sent: Thursday, December 17, 2020 1:59 PM
To: Molly A. Burrows Schumacher (staff) <Molly.BurrowsSchumacher@loras.edu>; Arthur W. Sunleaf <Arthur.Sunleaf@loras.edu>
Subject: Call DP LT

Molly and Art,

I received a call from a Dubuque Police LT that stated the TH contacted them about an incident from BO. He stated that it sounded like it was started via Rachel Swift. He said we were working together on the incident and I gave him more information on what happened, what we did initially, and what we did since. He believes that the TH may try contacting us about the incident too, so just wanted to make sure you were aware. Please let me know if you have any questions.

Thank you,



Matthew Saylor
Assistant Director of Campus Safety
LORAS COLLEGE
1450 Alta Vista St
Dubuque, IA 52001
563.588.7100 | 800.245.6727
matthew.saylor@loras.edu
BE MORE. BE LORAS
L M F I T S

LL

From: Nancy Z. Fett <Nancy.Fett@loras.edu>
Sent: Thursday, December 17, 2020 3:54 PM
To: Molly A. Burrows Schumacher (staff) <Molly.BurrowsSchumacher@loras.edu>
Subject: FW: Title IX Complaint
Importance: High

Fyi, how should I respond?

Sent from my U.S.Cellular® Smartphone

----- Original message -----

From: Bradley Levison <brad@hlhlawyers.com>
Date: 12/17/20 3:08 PM (GMT-06:00)
To: "Nancy Z. Fett" <Nancy.Fett@loras.edu>
Cc: "Rachael N. Swift" <Rachael.Swift@loras.edu>
Subject: Title IX Complaint

Nancy,

Per my message I represent Rachael Swift and I am following up on the status of the Title IX complaint she filed in September 2020. As you know, the student (Kyle Hall) that broke into Rachael's apartment was caught and now that we know his identity Rachael wanted to add the student to her complaint. I would appreciate an update on the status of Rachael's Title IX complaint. Rachael is copied on this email.

You may reach me at 312.819.6360.

Thank you.

Brad

<image002.jpg>
Bradley Levison
Herschman Levison Hobfoll PLLC
401 S. LaSalle Street, Suite 1302G
Chicago, Illinois 60605
O: 312.870.5800
F: 312.786.5921
D: 312.819.6360
brad@hlhlawyers.com
www.hlhlawyers.com

NN

From: Arthur W. Sunleaf <Arthur.Sunleaf@loras.edu>
Sent: Thursday, December 17, 2020 4:56 PM
To: Molly A. Burrows Schumacher (staff) <Molly.BurrowsSchumacher@loras.edu>
Cc: Nancy Z. Fett <Nancy.Fett@loras.edu>
Subject: Re: Title IX Complaint

We should involve Rich. Let's give him a call tomorrow.

Dr. A. W. Sunleaf
Vice President for Student Development & Dean of Students
Loras College

On Dec 17, 2020, at 4:39 PM, Molly A. Burrows Schumacher (staff)
<Molly.BurrowsSchumacher@loras.edu> wrote:

Hi Nancy,

Art – could you also please weigh in for Nancy's reply? And should we have Rich send the reply or is it ok to proceed?

I sent the following update to Rachel the next morning:

Hello Rachael,

I'm reaching out today to let you know that this past Sunday, a suspect was caught on camera entering an apartment at Byrne Oaks. Law enforcement was notified, and in that process, the suspect (a Loras student), admitted to entering at least 2 apartments over the course of this semester. This individual has been removed from campus and is not permitted to return. The College will be working with law enforcement and providing information about the break-in at your campus apartment to be considered as they continue to investigate this case. Additionally, your information will be included in our on-campus investigation process so that the individual can be held accountable both on campus and off.

We've reached out to the police officer who is working with the case to find the best way for you to connect if you would like to talk further with law enforcement about the incident at your apartment. Once we receive a reply, we will relay this information to you. For the on-campus investigation, you can report any additional information to either Matthew Saylor or myself to be included in the College's process. We will continue to provide updates for you as additional information becomes available and the process moves forward.

Thank you for your patience as we investigated these incidents, and please do not hesitate to reach out if you have any questions. I've contacted you directly as the filed reports name you as the reporting student. If you would like me to also notify the women you were living with in apartment 101 at the time of the incident, please do let me know and I will do so.

Thank you,

Molly

NN

Rachael reached out to Nancy on 12/9/20 to have Hall added to the report, but we had already done so.

Thanks -

Molly

Molly Burrows Schumacher
Assistant Dean of Students
LORAS COLLEGE
1450 Alta Vista St
Dubuque, IA 52001
molly.burrowsschumacher@loras.edu
BE MORE BE LORAS

From: Nancy Z. Fett <Nancy.Fett@loras.edu>
Sent: Thursday, December 17, 2020 3:54 PM
To: Molly A. Burrows Schumacher (staff) <Molly.BurrowsSchumacher@loras.edu>
Subject: FW: Title IX Complaint
Importance: High

Fyi, how should I respond?

Sent from my U.S.Cellular® Smartphone

----- Original message -----
From: Bradley Levison <brad@hlhlawyers.com>
Date: 12/17/20 3:08 PM (GMT-06:00)
To: "Nancy Z. Fett" <Nancy.Fett@loras.edu>
Cc: "Rachael N. Swift" <Rachael.Swift@loras.edu>
Subject: Title IX Complaint

Nancy,

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You may reach me at 312.819.6360.

Thank you.

Brad

<image002.jpg>

Molly A. Burrows Schumacher (staff)

From: Molly A. Burrows Schumacher (staff)
Sent: Thursday, December 17, 2020 3:23 PM
To: Rachael N. Swift
Subject: RE: following up on your previous report

Hello Rachel,

I've connected with Officer Brianna Marzette at the Dubuque Police Department. She has indicated that if you would like to speak with her about the investigation and/or your case, if you could provide the best way to contact you (email, phone and number, etc.), she will contact you. If you'd like her to reach out to you, could you please provide the best way to do so at this time?

Thank you,

Molly

Molly Burrows Schumacher
 Assistant Dean of Students

LORAS COLLEGE

1450 Alta Vista St
 Dubuque, IA 52001

molly.burrowsschumacher@loras.edu

BE MORE BE LORAS

From: Molly A. Burrows Schumacher (staff)
Sent: Tuesday, December 8, 2020 11:13 AM
To: Rachael N. Swift <Rachael.Swift@loras.edu>
Subject: following up on your previous report

Hello Rachael,

I'm reaching out today to let you know that this past Sunday, a suspect was caught on camera entering an apartment at Byrne Oaks. Law enforcement was notified, and in that process, the suspect (a Loras student), admitted to entering at least 2 apartments over the course of this semester. This individual has been removed from campus and is not permitted to return. The College will be working with law enforcement and providing information about the break-in at your campus apartment to be considered as they continue to investigate this case. Additionally, your information will be included in our on-campus investigation process so that the individual can be held accountable both on campus and off.

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Thank you for your patience as we investigated these incidents, and please do not hesitate to reach out if you have any questions. I've contacted you directly as the filed reports name you as the reporting student. If you would like me to also

Troy M. Wright

From: Matthew D. Pucci
Sent: Thursday, February 11, 2021 5:21 PM
To: Troy M. Wright
Subject: RE: Rachael Swift
Attachments: Swift timelines.docx

Troy – Let me know if this is what you are looking for and if need anything else.

Thanks



MATT PUCCI

Head Women's Soccer Coach

O | 563.588.4937 M | 847.347.0664
W | duhawks.com T | @LorasWSoccer

2019 American Rivers Conference Champions | 2018 NCAA Tournament - Second Round
14 NCAA Tournament Appearances | 13 Conference Championships | 9 All-Americans | 35 All-Region Selections

From: Troy M. Wright <Troy.Wright@loras.edu>
Sent: Thursday, February 11, 2021 2:49 PM
To: Matthew D. Pucci <Matthew.Pucci@loras.edu>
Subject: Rachael Swift
Importance: High

Matt,

I am conducting an independent investigation into the discrimination claim that Rachael filed with the College on September 14th. Please provide to me a written statement containing all communication you had with Rachael and her mother regarding the incident that occurred in her apartment building on September 6th.

Thanks,

Troy

Troy M. Wright SHRM-SCP, MBA '15
Director of Human Resources
LORAS COLLEGE
1450 Alta Vista St
Dubuque, IA 52001
563.588.7816 - P
563.588.7101 - F
troy.wright@loras.edu
BE MORE. BE LORAS.

Sunday Morning September 6th:

4am: I was recruiting in St. Louis and woke up around 4am to missed texts/calls from Rachael and her mom. I called Rachael right away and she explained everything that happened and was very scared. We were on the phone for an hour or so until she felt more at ease and her dad and sister were on the way from Chicago area.

Around 4pm: Called Rachael on my way home from St. Louis and she was doing better. She explained that she went home to Chicago with her Dad and sister. She asked for the Contact list that our coaching staff provided the whole team with department heads contact info and anyone that they might need to contact in any situation.

Monday, September 7th:

Rachael and her mother returned to campus and stayed in a hotel as she was still not comfortable staying in the apartment. We all met with Art I believe that Monday or Tuesday. They voiced concerns over the lack of security, lack of cameras, and wanted to know what could be done to put an end to this happening again.

In the meeting Rachael and her mom also voiced strong concerns over the lack of effort that her teachers were providing in making the semester a quality experience. Many cancelled zoom classes and many classes not meeting for weeks at a time at all. They did not feel as if the teachers were doing anything to make the students experiences worth it and the students could have stayed home and saved money instead of staying on campus.

Tuesday, September 8th: Both Rachael and her roommates voiced that they have not seen any updates in additional security or anyone following up to check on them.

Monday September 14: Rachael and mom met with President Collins and felt it was productive as he was surprised at what happened and wanted to help.

The remainder of September and October/November things were pretty quiet – Rachael split time at Loras and at home. I remember checking in outside of soccer frequently and hearing from Rachael and roommates that nothing had been done to Byrne Oaks as far as heightened security measures or installation of cameras etc.

While at Loras she typically stayed in a hotel as she was not comfortable and didn't feel safe in the apartment. The roommates would often move all beds/sleeping arrangements to one room so they could be all together and sleep better.

December 6th:

Had a conversation with Rachael where she was very upset again explaining that another similar situation must have happened at Byrne Oaks apartment as she explained that there are 8 women's apartments and 5 have been broken into by a male. She went on to explain that another women's apartment set up a camera and unlocked their door to catch him and they succeeded. I had no idea of this happening at this point. Her roommates were quick to update me of this as well following the call as it must have just gotten out from social media I believe.

LORAS 0560

Rachael found out the name of the male that had broken into the other apartment when caught by the camera and quickly realized that was the same student that led her breakout class zoom group in the education department just days earlier and would be graduating in December with no consequences.

Both mom and Rachael were extremely disturbed by this situation. Disgusted that she was being led by this student in a breakout zoom call for education that was caught on camera and believed to be the same one who came into her apartment as well. Also upset that he would be teaching students soon after graduation. I reported this to Art and I believe Molly as well.

January:

Just kept in touch regarding the spring semester and her involvement with soccer. Decided she would student teach at home and try to make weekend practices, games for soccer this spring season.

February:

No new contact— I attempted to keep in touch and updated on soccer related activities and checking in but haven't had any contact yet.

LORAS 0561

Molly A. Burrows Schumacher (staff)


From: Molly A. Burrows Schumacher (staff)
Sent: Thursday, December 17, 2020 3:23 PM
To: Rachael N. Swift
Subject: RE: following up on your previous report

Hello Rachel,

I've connected with Officer Brianna Marzette at the Dubuque Police Department. She has indicated that if you would like to speak with her about the investigation and/or your case, if you could provide the best way to contact you (email, phone and number, etc.), she will contact you. If you'd like her to reach out to you, could you please provide the best way to do so at this time?

Thank you,

Molly

Molly Burrows Schumacher
 Assistant Dean of Students

 1450 Alta Vista St
 Dubuque, IA 52001
molly.burrowsschumacher@loras.edu
 BE MORE BE LORAS

From: Molly A. Burrows Schumacher (staff)
Sent: Tuesday, December 8, 2020 11:13 AM
To: Rachael N. Swift <Rachael.Swift@loras.edu>
Subject: following up on your previous report

Hello Rachael,

I'm reaching out today to let you know that this past Sunday, a suspect was caught on camera entering an apartment at Byrne Oaks. Law enforcement was notified, and in that process, the suspect (a Loras student), admitted to entering at least 2 apartments over the course of this semester. This individual has been removed from campus and is not permitted to return. The College will be working with law enforcement and providing information about the break-in at your campus apartment to be considered as they continue to investigate this case. Additionally, your information will be included in our on-campus investigation process so that the individual can be held accountable both on campus and off.

We've reached out to the police officer who is working with the case to find the best way for you to connect if you would like to talk further with law enforcement about the incident at your apartment. Once we receive a reply, we will relay this information to you. For the on-campus investigation, you can report any additional information to either Matthew Saylor or myself to be included in the College's process. We will continue to provide updates for you as additional information becomes available and the process moves forward.

Thank you for your patience as we investigated these incidents, and please do not hesitate to reach out if you have any questions. I've contacted you directly as the filed reports name you as the reporting student. If you would like me to also

MM

notify the women you were living with in apartment 101 at the time of the incident, please do let me know and I will do so.

Thank you,

Molly

Molly Burrows Schumacher

Assistant Dean of Students

LORAS COLLEGE

1450 Alta Vista St

Dubuque, IA 52001

molly.burrowsschumacher@loras.edu

BE MORE BE LORAS

QQ

Molly A. Burrows Schumacher (staff)

From: Rebecca A. Fabricius
Sent: Monday, January 4, 2021 3:41 PM
To: Arthur W. Sunleaf
Cc: David M. Salyer; Molly A. Burrows Schumacher (staff)
Subject: RE: touching base

Importance: High

Hello Art,

Reaching out again to touch base with you on progress in securing an out-of-area student teaching placement for Rachael Swift, per thread below. Because Rachael did not undergo the traditional Out-of-Area application process, the general procedures are being pursued somewhat in reverse. I have requested from Tom Kruse expedited approval/signature for a standard contract with the Arlington Heights district. While corresponding with Carrie Jones this afternoon to assess the traditional out-of-area placement fee, I learned that Rachael is not currently registered for Spring classes. Carrie reports that "She has a very large outstanding balance that needs to be paid before she's cleared to register." Rachael is also completing the school district's required paperwork (background check, physical, etc.). At the invitation of the Cooperating Teacher, Rachael has already been to the site today to meet the class and observe.

Given current deficiencies in the following elements:

1. College and District signed contract
2. Student registered for Spring '21 classes

I have some uncertainty regarding the legal status of the student and the legitimacy of the student teaching placement.

As Dean of Students, your assistance is requested to assist in resolving Rachael's enrollment / registration status so that this placement can be confirmed and starting/ending dates established.

Rebecca Fabricius

From: Arthur W. Sunleaf
Sent: Thursday, December 24, 2020 12:52 PM
To: Rebecca A. Fabricius <Rebecca.Fabricius@loras.edu>; David M. Salyer <David.Salyer@loras.edu>
Cc: Molly A. Burrows Schumacher (staff) <Molly.BurrowsSchumacher@loras.edu>
Subject: RE: touching base

Thank you all, for your help and attention to this matter.

Happy holidays to you and yours!

Art

Dr. A.W. Sunleaf
Vice President for Student Development/Dean of Students

Loras College
Dubuque, IA 52001
#LorasTogether

QQ

From: Rebecca A. Fabricius <Rebecca.Fabricius@loras.edu>
Sent: Wednesday, December 23, 2020 11:23 AM
To: David M. Salyer <David.Salyer@loras.edu>
Cc: Molly A. Burrows Schumacher (staff) <Molly.BurrowsSchumacher@loras.edu>; Arthur W. Sunleaf <Arthur.Sunleaf@loras.edu>
Subject: RE: touching base

Hi David (Molly, Art),

Yes, after reaching out to Rachael via Zoom last week I had a strong sense that an out-of-area placement would be in mutual best interest. I worked with her and school districts near her extensively on Friday, through the weekend, and Monday to prepare the necessary materials and continue check-ins.

I'm happy to share that late yesterday afternoon the Arlington Heights district offered her a student teaching placement in Kindergarten. She has confirmed with me by email that she is scheduling fingerprints per their requirements, so should be able to transition to the changed placement fairly quickly.

A next step will be to identify and secure a College Supervisor in the area. I'll speak with the Principal as a first step, but schools in that district closed on Dec. 18th so I'll take that up when (if?) they re-open in January.

The student teaching placement process is quite different in suburban Chicago school districts (deadline for requests was last March), so it's exceedingly rare that there was a slot available and a Cooperating Teacher willing to host her at this date. I'm happy this seems to have worked out for all.

Wishing each of you the happiest, most email-free holiday break ever!

Rebecca Fabricius

From: David M. Salyer
Sent: Wednesday, December 23, 2020 10:56 AM
To: Rebecca A. Fabricius <Rebecca.Fabricius@loras.edu>
Subject: FW: touching base

Hi Rebecca,

Forwarding to you an email from Molly. The college is willing to help with Rachael's out-of-area placement (and perhaps Molly raised this with you already). Thanks.

David

David M. Salyer, Ph.D.
Director of Teacher Education

QQ

From: Molly A. Burrows Schumacher (staff)
Sent: Tuesday, December 22, 2020 3:50 PM
To: David M. Salyer <David.Salyer@loras.edu>
Cc: Arthur W. Sunleaf <Arthur.Sunleaf@loras.edu>
Subject: touching base

Hello David,

Art Sunleaf asked me to reach out today regarding the student teaching placement for Rachael Swift. It is our understanding that Rachael may be seeking to student teach outside the Dubuque area. If there's anything the College can do to help honor/grant any placement request Rachael has submitted, it would be extremely helpful. Please let us know if there's anything we can do to be of help.

Thank you,

Molly

Molly Burrows Schumacher
Assistant Dean of Students
LORAS COLLEGE
1450 Alta Vista St
Dubuque, IA 52001
molly.burrowsschumacher@loras.edu
BE MORE BE LORAS

From: [Rebecca A. Fabricius](#)
To: [Rachael N. Swift](#)
Cc: [David M. Salyer](#), [Donna N. Heald](#)
Subject: RE: ST

Hello Rachael,

Thank you for this communication with an update on your status. Screening Committee's general role is to approve current students for coursework in the upcoming semester, so will be able to review you for Student Teaching Admission once your enrollment status in EDU 432 is active. Because recent grades are an important factor in determining each student's eligibility to continue in TEP coursework, Screening Committee generally meets just before a new semester begins to review TEP candidates. Your name did not appear on any TEP course rosters at our scheduled January meeting, so your Student Teaching Admission status was not reviewed at that time.

Once your enrollment status for Spring '21 semester is verified, I will consult with the TEP Director and Academic Dean to determine appropriate starting and ending dates for your student teaching experience, and reconvene the Screening Committee to review your Admission to Student Teaching. Confirmation letters conveying this information will then be emailed to you and your Cooperating Teacher/District, which would signal the official start of the placement.

I have cc'd both Dr. Salyer and Dean Heald on this message to ensure that we are as responsive as possible to a modified timeline for addressing these standard procedures.

Rebecca Fabricius

From: Rachael N. Swift
Sent: Wednesday, January 13, 2021 9:20 AM
To: Rebecca A. Fabricius <Rebecca.Fabricius@loras.edu>
Subject: ST

Hello Mrs. Fabricius,

With everything that happened last semester, I'm talking with the school for legal reasons. I didn't know they put a hold on my account, but I'm in communication with President Collins. This is why there is confusion as to my enrollment this semester. When I do get enrolled do you have to meet for the Screening Committee? I thought I was cleared to start when I get enrolled. When would my official start date be? Because I'm cleared by the district.

Thank you,
Rachael Swift

LORAS 0317

T

Molly A. Burrows Schumacher (staff)

From: Molly A. Burrows Schumacher (staff)
Sent: Tuesday, January 5, 2021 2:26 PM
To: Rachael N. Swift
Subject: RE: checking in - housing for spring

Thanks for the reply, Rachael! I'll take care of this for you today.

Have a good day,

Molly

Molly Burrows Schumacher
Assistant Dean of Students
LORAS COLLEGE
1450 Alta Vista St
Dubuque, IA 52001
molly.burrowsschumacher@loras.edu
BE MORE. BE LORAS

From: Rachael N. Swift <Rachael.Swift@loras.edu>
Sent: Tuesday, January 5, 2021 12:19 PM
To: Molly A. Burrows Schumacher (staff) <Molly.BurrowsSchumacher@loras.edu>
Subject: RE: checking in - housing for spring

Hello Mrs. Burrows,

I won't be returning to campus for the Spring semester. So if you could take off housing and meal plan that would be one less thing I have to worry about.

Thank you,
Rachael Swift

From: Molly A. Burrows Schumacher (staff) <Molly.BurrowsSchumacher@loras.edu>
Sent: Tuesday, January 5, 2021 11:55 AM
To: Rachael N. Swift <Rachael.Swift@loras.edu>
Subject: checking in - housing for spring

Hi Rachael,

I hope this email finds you well. As we finalized spring housing placements, I noticed we have a housing placement and meal plan on record for you for the spring semester. If I understand correctly, you may be student teaching at home this semester so I wanted to reach out and see if you would like me to cancel that housing placement and meal plan for you? If you could confirm if you would like me to cancel these items, I'll make sure they are removed from your spring bill asap. If you would choose to cancel, please know you can add these back on at any time if you wish – we would not be asking your roommates to fill any vacancies and dining plans can be added at any time. I'll wait for your guidance on how to proceed.

T
Additionally, because you spent most of the fall semester away from campus at home, I removed your housing charges for Fall 2020 from your student account. That update should now be reflected on your student account. You may not receive a new billing statement, but would see this change reflected under "activity".

Thank you,

Molly

Molly Burrows Schumacher

Assistant Dean of Students

LORAS COLLEGE

1450 Alta Vista St

Dubuque, IA 52001

molly.burrowsschumacher@loras.edu

BE MORE BE LORAS

RR

Molly A. Burrows Schumacher (staff)

From: Molly A. Burrows Schumacher (staff)
Sent: Tuesday, January 5, 2021 11:37 AM
To: Carrie E. Jones
Subject: Swift

Hi! I took off the fall housing for Rachael Swift – I'm going to check in with her before I cancel spring. Thanks!

Molly

Molly Burrows Schumacher
Assistant Dean of Students
LORAS COLLEGE
1450 Alta Vista St
Dubuque, IA 52001
molly.burrowsschumacher@loras.edu
BE MORE BE LORAS

RR

Molly A. Burrows Schumacher (staff)

From: Molly A. Burrows Schumacher (staff)
Sent: Tuesday, January 5, 2021 11:56 AM
To: Arthur W. Sunleaf
Subject: FW: checking in - housing for spring

Just FYI on the communication I sent to Rachael Swift re: housing and meals for spring. Fall charges have been removed and Carrie indicates this is reflected on the account.

Thanks!

Molly

Molly Burrows Schumacher
Assistant Dean of Students
LORAS COLLEGE
1450 Alta Vista St
Dubuque, IA 52001
molly.burrowsschumacher@loras.edu
BE MORE BE LORAS

From: Molly A. Burrows Schumacher (staff)
Sent: Tuesday, January 5, 2021 11:55 AM
To: Rachael N. Swift <Rachael.Swift@loras.edu>
Subject: checking in - housing for spring

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Thank you,

Molly

Molly Burrows Schumacher
Assistant Dean of Students
LORAS COLLEGE
1450 Alta Vista St
Dubuque, IA 52001

Q

Molly A. Burrows Schumacher (staff)

From: Arthur W. Sunleaf
Sent: Wednesday, January 27, 2021 1:13 PM
To: Molly A. Burrows Schumacher (staff)
Subject: FW: Rachael Swift
Attachments: RACHLORAS.pdf

Per your request.

Dr. A.W. Sunleaf
Vice President for Student Development/Dean of Students
Loras College
Dubuque, IA 52001
#LorasTogether

From: Jim Collins <Jim.Collins@loras.edu>
Sent: Monday, January 11, 2021 7:26 PM
To: Donna N. Heald <Donna.Heald@loras.edu>; Arthur W. Sunleaf <Arthur.Sunleaf@loras.edu>
Subject: FW: Rachael Swift

Donna and Art

Please see below and attached. Facts don't seem to matter, let alone timeliness. Rachel and her Mom spoke with me 3+ months ago when I asked them for the communication only received today.

██████████ asked him to advise.

Thanks,

J

James E. Collins '84
President
Loras College

From: ukchelsea@aol.com <ukchelsea@aol.com>
Sent: Monday, January 11, 2021 4:42 PM
To: Jim Collins <Jim.Collins@loras.edu>
Subject: Rachael Swift

Please see the attached and respond at your earliest convenience.
Thank you,
Elaine Kostopoulos

January 8, 2021

Loras College
President Jim Collins
1450 Alta Vista Street
Dubuque, Iowa 52001

Re: Rachael Swift

During our most recent conversation, we discussed Rachael's request for a tuition waiver along with reimbursement of her 2020 and 2021 deductible due to the complete failure of Loras College to adequately act after the break in that occurred at her campus apartment in September 2020. We have not heard back from you or anyone at the College regarding this matter since our call in early October.

As a result of the College's complete lack of attention to the fact that an individual entered a college building and proceeded to break into an apartment and enter a female student's bedroom during the middle of the night, this individual proceeded to continue breaking into women's apartments in the same building and traumatize countless students. The individual was ultimately caught, yet by no help of the college. College students needed to do what the College would not do ensure that no one else would be traumatized by this individual. Your lack of attention to a very serious crime forced college girls to set a trap to catch the perpetrator.

There were at least five apartments in one campus building to be broken into by the same individual and the College failed to act in any way to safeguard the students at Loras. During our initial meeting with the various Deans and yourself we asked for simple measures to ensure the safety of the students and Loras failure to make this a priority. Thus, giving the individual the ability to continue breaking in to units with no action by the College.

We are extremely disappointed that the College continues to fail Rachael and her fellow students at Loras with their lack of attention to this matter.

Rachael is forever changed not only by the experience of the break in, yet also by completely unacceptable treatment of the College. Loras attempted to make Rachael feel like the break in never happened. They failed to respond to her basic requests. They failure care about her safety and the safety of the other females at Loras. Loras attempted to hide both Rachael's break in and those of the next three apartments, and possibly more. Only when students were able to identify the individual during a break in did Loras acknowledge the break ins.

Your actions have changed Rachael in a way you could never understand. You personally know Rachael and still failed to show compassion and address her concerns.

Due to the events Rachael was forced to return home as she was too frightened to be on campus. As she is an Education student she was to return to Loras in January to student teach for her final semester. In late December she broke down and stated she could not return to Loras. Even though the individual was identified she was still afraid to return to Loras. She knew that if something was to happen that Loras would not be there to protect her while on campus.

LORAS 0630

Q

The lack of actions by Loras have forced her to remain at home for her Senior year and miss her final attempt at a soccer season. Her college experience has been ruined by this entire experience.

Loras has a duty to ensure a safe environment on campus and has failed to do so.

Due to the failure of Loras to take Rachael's Title IX seriously we have been forced to engage counsel to ensure she is heard.

Additionally, as a follow up to the education piece of our prior discussions we want to let you know that very little changed in that respect during the fall semester. For example, the South Carolina teacher never had the students "enter" her classroom as promised. She spent more time talking about moving to South Carolina and all the benefits of living in the south than teaching the students, that is when she did not cancel class.

Finally, Loras has proceeded to block her from enrolling in the one class she needs for the spring semester due to the tuition issue.

Please, grant Rachael a tuition waiver for the 2020/2021 school year and reimburse her for her insurance deductible as discussed. Additionally, allow her to enroll in her class immediately.

Feel free to contact me at 847-651-0847 or ukchelsea@aol.com if you have any further questions.

Thank you,



Elaine Kostopoulos

LORAS 0631

Interview with Respondent Kyle Hall – January 14, 2020, 4:30 p.m. via Zoom

With Matthew Saylor and Molly Burrows Schumacher

Molly Burrows Schumacher and Matthew Saylor met with Kyle Hall via Zoom Meeting on Thursday, January 14, 2021, at 4:30 p.m. to discuss why he was found on video camera entering an apartment he did not live in on December 5, 2020, at 301 Byrne Oaks (Dubuque Police Case #2020007977). Hall's father was also present during the meeting, and a FERPA waiver was on file prior to his participation.

Burrows Schumacher asked Hall what he was doing when he entered apartment 301 Byrne Oaks and found himself on camera. Hall indicated that it was late when he got off work, around 11 or 12, and that he went to a friend's house at that time. Hall indicated that after visiting his friend's house, he returned to Byrne Oaks and was on his phone and not paying attention and approached the wrong apartment. Hall indicated that when he realized he was not in his apartment, he left.

When asked if he had entered an apartment that was not his own in any other instances, Hall indicated no. Burrows Schumacher noted that the Dubuque Police Department was contacted in the situation on December 5, and asked what was discussed with police. Hall noted that they discussed what he had just shared – that it was this one time when he had been working, it was late, and he was not paying attention when he returned. Per Hall, the apartment involved is not pressing charges at this time. Burrows Schumacher referenced that there had been other incidents of a similar nature at Byrne Oaks, and Hall indicated he was not involved. Hall's father indicated that when the police spoke with Kyle, it seemed as though police were trying to blame Kyle for other robberies and insinuated that he may have been involved with things off campus, which Hall and his father indicate is not true.

Hall indicated that he was aware of the situation that occurred in the first apartment, as he knows the women who live there. Hall then proceeded to share that around that same time, he saw someone walk into his apartment too but he did not report it and provided the physical description of medium height – maybe a little taller. Hall indicated that he talked to his roommates about it and they decided they would start locking their door. When asked if we should talk with his roommates about this instance, Hall indicated that he was the only one home at the time and the others wouldn't have seen anything or have more information.

Saylor asked Hall to clarify his comments about accidentally walking into the third floor apartment. Saylor noted that Hall lived on the first floor of Byrne Oaks and the incident occurred on the third floor of Byrne Oaks. Hall indicated again that he had walked up to the apartment on accident out of habit and then left when he realized it was not his apartment.

Kyle Hall approved these summary notes on January 19, 2021, at 10:58 a.m.:

From: Kyle L. Hall <Kyle.Hall@loras.edu>

Sent: Tuesday, January 19, 2021 10:58 AM

To: Molly A. Burrows Schumacher (staff) <Molly.BurrowsSchumacher@loras.edu>

Subject: RE: For your review: Summary of Notes from Zoom Meeting

It is alright as written.

From,

Kyle Hall

LORAS 0377

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Molly A. Burrows Schumacher (staff)

From: Molly A. Burrows Schumacher (staff)
Sent: Tuesday, February 2, 2021 2:44 PM
To: Rachael N. Swift
Subject: Following Up on 9/6/20 Report

Dear Rachael,

I hope this message finds you well. I'm following up on an email sent to your Loras email on January 26, 2021, inviting you to share any additional or new information you might have regarding the report filed on 9/6/20, and to invite your participation in the college hearing board process. If you would like to provide additional information or participate in the college hearing board process, please reply by Wednesday, February 10. A copy of the original email is included below for your convenience.

Thank you,

Molly

Molly Burrows Schumacher
Assistant Dean of Students

LORAS COLLEGE

1450 Alta Vista St

Dubuque, IA 52001

molly.burrowsschumacher@loras.edu

BE MORE BE LORAS

From: Molly A. Burrows Schumacher (staff)
Sent: Tuesday, January 26, 2021 4:42 PM
To: Rachael N. Swift <Rachael.Swift@loras.edu>
Subject: Following up on your 9/6/20 report

Hello Rachael,

I hope this email finds you well. I'm reaching out today regarding your report filed 9/06/20, where you reported that an unknown male suspect entered your apartment at Byrne Oaks without your consent. As I mentioned in a previous email, the College is currently investigating this incident with the intent of holding the individual accountable for any violations of the College's Code of Conduct.

At this time in our process, we wanted to reach out to you to see if there is any additional information (beyond your original report) that you would like included in the investigation information. This could include, but is not limited to, additional information that has become available to you since the filing of your report; information from your work with law enforcement on your case; impact this incident has had on you as you navigated your college experience; and other information that you believe may be helpful at this time. Information can be emailed to me at this email address, or can be faxed to me at 563.557.4080. I'm also available to speak via Zoom at your convenience, or can arrange for an investigator to meet with you in person on campus if that is preferred.

As the investigation is completed, the case will transition to the College Hearing Board. The College Hearing Board is chaired by the Associate Dean of Students or his/her designee, and includes appointed representatives from the Loras College community: two students, two faculty members and two staff members. This board hears cases where a

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sanction of suspension or expulsion may be considered based on the nature of the incident. Students who file a report that is referred to the College Hearing Board have the right to be involved in the process, and we can work together to help make the experience as comfortable as possible for you. If you would like to participate in the hearing process, please do reply to this email and let me know. I'll arrange for Kelsey Callahan, who helps students prepare for the hearing board process to reach out to you to talk further.

Thank you for your time. I look forward to hearing from you in the near future.

Molly

Molly Burrows Schumacher

Assistant Dean of Students

LORAS COLLEGE

1450 Alta Vista St

Dubuque, IA 52001

molly.burrowsschumacher@loras.edu

BE MORE BE LORAS